

# HOUSE OF REPRESENTATIVES—Thursday, August 18, 1994

The House met at 10 a.m.

The Chaplain, Rev. James David Ford, D.D. offered the following prayer:

We pray, O gracious God, that You would strengthen us in our inner being and give us the grace to be at peace in body, mind, and spirit. Your Word reminds us that You are our shepherd and that Your love is for the welfare of Your flock. We pray that You will bless us with the gift of a sturdy faith, a faith that withstands the pressures of the day. Give us the assurance that deep in our hearts is Your peace that passes all human understanding. Amen.

## JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Wyoming [Mr. THOMAS] please lead the House in the Pledge of Allegiance.

Mr. THOMAS of Wyoming led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## NEED FOR CRIME BILL IS NATIONWIDE

(Mr. VISCLOSKEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VISCLOSKEY. Mr. Speaker, witnesses are killed, shootouts happen in broad daylight by city hall, and the police are outgunned. I am not talking about Washington, DC, or New York City. This is happening in the Indiana district I represent.

We need a crime bill now.

The extremists who are preventing us from passing a strong bill are playing Russian roulette with the public's safety for cynical political gain.

What is wrong with putting 100,000 new police officers on the streets?

What is wrong with banning assault weapons designed to kill large numbers of people as quickly as possible?

What is wrong with locking repeat violent criminals behind bars forever?

And what is wrong with preventing the pain and horror of crime before it happens?

Mr. Speaker, there is nothing wrong with these provisions that will take our streets back. Let us stop the politics and put the people first.

## THE PRESIDENT'S VISION

(Mr. THOMAS of Wyoming asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMAS of Wyoming. Mr. Speaker, according to the latest poll, 68 percent of the people agree that President Clinton "has a vision for the country." Today's poll, however, indicates that only 37 percent of Americans agree with that vision.

The President's vision is far different than that of the average American family.

President Clinton views the American taxpayer as the primary provider for his social welfare programs. He views the Federal Government as the primary job creator of the economy. He views the social welfare worker as the best criminal justice enforcer. He views the Federal Government as the best provider of health care. He views the individual with distrust and the Government with complete trust.

Mr. Speaker, President Clinton does indeed have a vision for the country; unfortunately, his vision is a nightmare for most American families.

## THE IRS WILL TAKE IT ALL

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, the IRS recently threatened to seize a Colorado sprinkler company for underpayment of withholding taxes. The underpayment: One copper coin, one cent, one red penny. This is no joke. Unbelievable.

The IRS said they are going to rain all over the Rainmaker Sprinkler Co. Think about it: What is next? They are going to tell us where to eat? What to eat? Where to sleep? Where to go to the john?

We have an IRS agency out of control, ripping us off, and I want to give credit today to Congressman SCOTT MCINNIS. He not only signed Discharge Petition No. 12 that would change the burden of proof in a tax case, he sent a little note with a penny and said, "Straighten this thing out."

Ladies and gentlemen, it has gotten so bad that they will just come in with-

out proof one day and take your wife, take your kids, your dog, your goldfish, and Congress is allowing this to go on. When for one penny the IRS can seize property or threaten to, the Congress should pay some attention.

## CLINTON-GEHARDT: BAD MEDICINE FOR SENIORS

(Mr. GOSS asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, seniors in my district have been outspoken critics of the AARP's recent endorsement of the Clinton-Gephardt health bill. Like most Americans, they do not like the idea of giving Government greater control over their health decisions and they are saying so loud and clear. Seniors are right to rebel. For the Clinton-Gephardt bill is worse for seniors than even the recent catastrophic health debacle.

The bill would open up Medicare to a whole host of nonelderly persons—including noncitizen aliens. And it would limit total spending in the program—in effect, rationing care. Seniors' choices would also be restricted. They would be forced to pay for the new drug benefit, even if they have more generous coverage elsewhere. Under the Clinton-Gephardt bill, seniors could also be forced out of the Medicare system altogether and into a State-run health plan.

Very simply, the Clinton-Gephardt bill is bad medicine for America's seniors. For seniors' sake, we must reject it. That is what they are asking us to do.

## PLAY BALL

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute.)

Mr. WILLIAMS. Major league ball players, big-league owners, play ball.

## HEALTH CARE—NFIB JOB LOSS

(Mr. EVERETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EVERETT. Mr. Speaker, there is another kind of insurance that the Clinton-Gephardt plan should include—job loss insurance. According to a new report from the National Federation of Independent Business, the Clinton-Gephardt bill will destroy 1.3 million jobs

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

and cost another 11 million workers over \$13 billion in reduced wages.

These jobs losses and reduced wages are a direct result of employer mandates in the plan. Clinton-Gephardt might be guaranteeing universal health insurance coverage, but will it also find jobs for all the people it puts out of work?

For a President that brags about low-paying job creation as one of his accomplishments—you have to wonder why his health care scheme does more to destroy jobs than its does to provide good, solid bipartisan health care.

#### PUBLIC GETS CONFUSING MESSAGES ON CLINTON-GEPHARDT HEALTH CARE

(Mr. JOHNSTON of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSTON of Florida. Mr. Speaker, there is mass confusion surrounding the health care debate, and it is only getting worse as the war of the ads heats up.

Consider the back-to-back messages going out to the American public:

First they are told, "We'll all be forced into giant HMO's."

Then they are warned, "They'll take away our HMO's."

First they are told, "Reform will mean the end of life-saving technology."

And then they are warned, "Without reform, your family may lose access to life-saving technology." I guess next will come the Mueslix ad.

Many people bombarded with these conflicting ads thing they are all addressing the Clinton-House bill, rather than the many versions of reform on the table. Is it any wonder they are confused as to what is actually in the legislation and whether it is important?

It is incumbent on us and the media to educate the public, not only as to what the bill will do, but why we must act now, that there is still an emergency in health care in this country.

That 5 years ago, we talked of a \$500 billion price tag, and now we are talking a trillion and it is fiscally irresponsible to wait any longer.

And that the only reason the cost of health care has slowed this year is that there is a bill out there dealing with universal coverage and reform. It is not altruism.

If we do not act now, the costs will shoot back up and we will return to the expensive and amoral system we confronted at the start of this debate.

That would not only be unfortunate. It would be unforgivable.

□ 1010

#### THE JOB-KILLING CLINTON-GEPHARDT HEALTH BILL

(Mr. EWING asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. EWING. Mr. Speaker, a report, which we have already heard about, released by the National Federation of Independent Business, recently shows that the Clinton-Gephardt health care bill would cost 1.3 million working men and women their jobs, and another 11 million of them might see their wages reduced if this plan were passed.

In my own State of Illinois, the Clinton-Gephardt bill could kill almost 65,000 jobs, and more than 553,000 Illinoisans would see their wages reduced because of this bill.

The mandates in the Clinton-Gephardt bill for businesses to pay for insurance is more than they can afford. It could cause many small businesses to face closing or reducing their employees.

Mr. Speaker, the Illinois economy has had its problems with recession, and through it all small business has been there for the working men and women. The mandates in the Clinton-Gephardt plan would put an end to that. We should not pass the Clinton-Gephardt plan. We should look out for the working men and women of this country.

#### WRONG AGAIN, THIS TIME ABOUT UNIVERSAL HEALTH CARE COVERAGE

(Mr. GEJDENSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEJDENSON. There they go again. They are making those numbers up, and every day they can come out here and make up a new set of numbers about what health care will do to this country.

But the record is pretty clear. The record is clear that, when we passed the Budget Act, they were wrong. They said the Budget Act would end up destroying jobs. The Budget Act passed only with Democratic votes. They said it would kill the economy. What has happened? We have produced more jobs in the last 16 months than the previous 4 years.

Mr. Speaker, the people on the Republican side of the aisle that will say that having universal health care coverage will somehow damage the economy have been wrong consistently. They were wrong when they were against Social Security, they were wrong when they were against Medicare, they were wrong when they were against the Budget Act which has reduced the deficit, about to be for the third year in a row, the first time since Harry Truman.

I say to my colleagues, "Let's stop fabricating the crisis that isn't going to exist. Universal health care will strengthen small business, it will level the playing field, and in my State it

means small business will stop subsidizing McDonald's and other large corporations that don't provide health care for their workers."

#### THE PORK IN THIS BILL IS A CRIME

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, as my colleagues know, one section of the President's so-called anticrime bill that he frequently tries to gain support with is that there are going to be 100,000 new cops on the street. It is just another myth. However, the National Center for Policy Analysis discovered the numbers do not quite add up to 100,000.

According to a Princeton University criminologist, Mr. Speaker, it takes 10 police officers to keep 1 full-time officer on the street. Therefore the bill would actually fund only about 2,000 round-the-clock cops. Based on 200 jurisdictions, this would increase actual street strength by only 10 police per city. In reality this bill would fund more social workers than police officers.

Mr. Speaker, the vote last week spoke loud and clear. The pork in this bill is a crime, and Americans do not want, do not need, and do not deserve more pork. America wants a real anticrime bill.

#### FISCAL RESPONSIBILITY AND THE CRIME BILL

(Mrs. CLAYTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CLAYTON. Mr. Speaker, we are talking about crime again, and, yes, it is a matter of who we like and who we think is correct. I think that children are important. I think it makes more sense to prevent crime than to spend \$24,000 in my State to incarcerate people, and in the Federal level alone it pays \$20,000. For those who will say it is fiscally irresponsible, Mr. Speaker, I will say that is nonsense.

So, I want to be a voice for reason. I want to be a voice for logic and say, "How best should you spend \$24,000? Should you spend it on basketball? Should you spend it on education? Should you spend it on preventing young people from becoming criminals? I would rather spend \$24,000 on a basketball team that produced taxpayers, contributing citizens, than to spend \$24,000 a year draining on the society and no productivity at all."

Mr. Speaker, I say, "Let's make sense. Prevention is a part of that strategy, just as incarceration."



□ 1020

# TEN REASONS WHY REPUBLICANS OPPOSE THE CRIME BILL

(Mr. HEFLEY asked and was given permission to address the House for 1 minute.)

Mr. HEFLEY. Mr. Speaker, we all want a crime bill, but we have a different vision of what a crime bill ought to look like. So, why do the Republicans oppose the President's version of a crime bill? Let me give my colleagues ten reasons:

No. 1, inadequate funding for building prisons;

No. 2, inadequate funding for hiring more cops on the beat;

No. 3, weakened sexual predators provision;

No. 4, various pork-barrel projects, including \$10 million for Lamar University located in Chairman BROOKS' district;

No. 5, may result in the release of 10,000 convicted drug felons;

No. 6, does not include victims restitution provisions of Senate-passed bill;

No. 7, does not include strengthened death penalty procedures to end endless appeals process;

No. 8, does not include tough penalties for violent juvenile gang offenses;

No. 9, includes \$9 billion in repetitive, wasteful social welfare spending; and

No. 10, Republicans were not included in this process, nor did they even know until the report came to the table what was going to be in it.

Mr. Speaker, there are 10 reasons, and we could give many more, of why Republicans do not share the President's vision of what a crime bill ought to look like.

# PRESIDENT BUSH NAMED MIDNIGHT BASKETBALL AS ONE OF HIS 1,000 POINTS OF LIGHT

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, over the last week, midnight basketball has become the favorite scapegoat of Republicans trying to explain their votes against the crime bill. Republicans say that midnight basketball is nothing more than social pork. Republicans say that it is a feel-good program that has nothing to do with crime. But, that is not what Republican President George Bush was saying just a few short years ago. In fact, the former leader of the Republican party named midnight basketball as 1 of his 1,000 points of light.

And, in 1991, when President Bush visited a pilot midnight basketball league he had this to say, and I quote: "Here everybody wins \* \* \*. Everyone gets a better shot at life. It's about providing opportunity for young adults to escape drugs and the streets \* \* \*."

Midnight basketball may not work everywhere. But, it works in New Haven, CT, and in many other urban areas struggling to provide young people with alternatives to crime and drugs. It is a crime that some Republicans are using partisan politics to snuff out a point of light.

# PRESIDENT WANTS CREDIT FOR A CRIME BILL, IGNORES OFFERS OF COOPERATION FROM REPUBLICANS

(Mr. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, I would like to remind President Clinton of November 1992 when he said

Americans want us to work together \* \* \*. They want the finger-pointing and the blame-placing to stop \* \* \* and I don't really care who gets the credit for this if we can actually make some headway on these profound challenges we face.

President Clinton is not using his own advice.

Instead, he is blaming Republicans and special interests for tricking him. He is arm twisting those in his own party to pass the same bad bill in a new vote. And he is ignoring all offers for cooperation from Republicans.

It is obvious the President doesn't really care about fighting crime, he just wants a victory and he will do anything to get it. Even if it means compromising the safety of the American people.

# PARTNERSHIP FOR VETERANS HEALTH CARE REFORM

(Mr. DERRICK asked and was given permission to address the House for 1 minute.)

Mr. DERRICK. Mr. Speaker, the Partnership for Veterans Health Care Reform speaks for millions of American veterans. Its members include: The American Legion; AMVETS [American Veterans of WWII, Korea, and Vietnam]; Veterans of Foreign Wars of the United States; Disabled American Veterans; Jewish War Veterans of the USA; Blinded Veterans Association; Military Order of the Purple Heart of the U.S.A., Inc.; Non Commissioned Officers Association of the USA; Paralyzed Veterans of America, and Vietnam Veterans of America, Inc.

Listen to what this partnership has to say about reform: The Guaranteed Health Insurance Act meets "the needs of the brave men and women who sacrifice their health for our country." The partnership states that they "will continue to inform Members of Congress and our membership that [the Guaranteed Health Insurance Act] contains our stated policy goals."

Support health care reform that is good enough for our veterans, and all Americans.

# PARTISAN POLITICS HOLDING UP ACTION ON THE CRIME BILL

(Mr. COLLINS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLLINS of Georgia. Mr. Speaker, I would like to remind the gentlewoman from Connecticut that some of Mr. Bush's remarks are the reason he is not president any longer. Maybe Mr. Clinton ought to take a lesson from such.

Mr. Speaker, the crime bill has turned to 100 percent politics. That is right, the debate has turned from locking up criminals to locking up votes—votes on this House floor and votes in November.

Mr. Speaker, the message from the people of the Third District of Georgia is that they want criminals locked up. They want them prosecuted, and they want them punished. They are tired of partisan politics coming from the White House and from this House. The vote on the rule last week to stop the crime bill was a strong bipartisan vote and was a true representation of the wishes of the people of this country.

# LAW ENFORCEMENT OFFICIALS RATE PREVENTION KEY IN ANTI-CRIME LEGISLATION

(Mr. FAZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FAZIO. Mr. Speaker, yesterday a number of law enforcement officials from all across the country came and met with many Members of Congress. They were here not just to talk about more cops on the street, which they have a direct interest in. They were here not just to talk about building more prisons which will incarcerate violent offenders. They were not here just to talk about tougher laws like, "three strikes and your out", which we all support.

They were here because they believe prevention is the only way we can stem the tide of an inexorable number of young people moving into a life of crime.

Yet we listen to the Republican partisan spin doctors today flying into the teeth of the views of law enforcement from across the country, yelling, "Pork, pork, pork." This is a good example of how partisanship overcomes good policy;

So much of what is in this bill has been proposed in past administrations. We have never before found the courage to come together and put a bill before this Congress that touches every element of the problem; prevention, punishment and increased policing. And now when we do get there, what do we find? Charges that somehow we have,

through code words like "midnight basketball," prostituted the real goals of fighting crime.

Mr. Speaker, it is an outrage. It ought not to be allowed to last beyond Saturday. I think this Congress will act on a crime bill, and Republicans who do not wish to stand with us will pay the price.

#### THE CLINTON-GEHARDT HEALTH CARE PLAN IS A STEP TOWARD THE CLINTON WELFARE STATE

(Mr. HORN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HORN. Mr. Speaker, President Clinton has promised to end welfare as we know it. I agree with that goal. But the President is going to create an even larger welfare state than we now know, because a major step toward the Clinton welfare state is the Clinton-Gephardt health care plan.

The payroll taxes alone which are in the Clinton-Gephardt plan will kill millions of jobs and reduce wages. Those taxes will place Americans in a position where they may need to resort to Government assistance. A Government-run health care plan that costs jobs and stagnates economic growth will cause more people not only to depend on the welfare state for health care but also to support them while they are out of work.

Mr. Speaker, there are alternatives: Rowland-Bilirakis, Cooper-Grandy, and the new bipartisan proposal on health reform legislation. The bipartisan proposal does not contain job-killing taxes, Government-run alliances, employer mandates, global budgets, and, worst of all, the rationing of needed health care services. That is why I support the bipartisan proposal.

Mr. Speaker, let us get smart. Let us use common sense. Let us agree on a bipartisan approach to one of the most important issues facing many Americans.

#### COSPONSORS SOUGHT FOR BILL TO REPEAL THE CUBAN ADJUSTMENT ACT

(Mr. KOPETSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KOPETSKI. Mr. Speaker, yesterday the Governor of Florida asked for Federal assistance in dealing with the increasing immigration problem from Cuba.

I want to remind my colleagues that Cubans enjoy special treatment under United States immigration and political asylum law. Specifically, the Cuban Adjustment Act allows Cuban nationals who have been living in the United States for 1 year under any circumstances to become permanent resi-

dents of the United States. They can come here whether for political reasons or economic reasons. Other asylum-seekers cannot come for economic reasons; they need to seek the safety of political asylum into the United States.

In practical terms, the act creates an exception to our immigration law for Cubans which is not available to persons of any other nation. As long as this preferential treatment exists, Cuban migration will continue.

Mr. Speaker, some are estimating that as many as 1.5 million Cubans may arrive in south Florida in the coming weeks. The Governor of Florida is right to ask for Federal assistance because a special-interest loophole in Federal policy is unfairly punishing his State. Let us end this now.

Mr. Speaker, I urge my colleagues to cosponsor my bill, H.R. 3854, to repeal the Cuban Adjustment Act.

#### WELFARE REFORM RESOLUTION INTRODUCTION

(Mr. KNOLLENBERG asked and was given permission to address the House for 1 minute.)

Mr. KNOLLENBERG. Mr. Speaker, this Saturday marks the 30th anniversary of the war on poverty. Three decades and \$5 trillion ago, President Johnson told America that the war on poverty would be a temporary investment. Today, President Clinton tells us much the same thing about this welfare plan.

I believe it is time to set a different course in the welfare reform debate. It is time we gave the people who pay the bills as much consideration as the people on the dole. After all, the American taxpayer has paid dearly for our failed welfare policies—an average of \$50,000 per household.

That is why today I am introducing a taxpayer protection resolution for welfare reform. It simply states that any plan which passes the House: Will result in a net savings to the taxpayer, will cap welfare spending at rate of inflation, will not be financed by new taxes, will not add to the Federal deficit, and will not place new mandates on States and localities.

I urge you to become a cosponsor. Welfare reform in the 1990's has to be about doing more with less. We owe it to the taxpayer, and we owe it to people we are trying to help.

#### EVIDENCE OF PARTISAN POLITICS IN APPOINTMENT OF SPECIAL PROSECUTOR FOR WHITEWATER INVESTIGATION

(Mr. CLYBURN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLYBURN. Mr. Speaker, as the saying goes, appearance is everything.

If that is indeed the case, how does this appear to you?

A judge who presides over a three-judge panel is given the authority to choose a special prosecutor to lead the investigations into what detractors say appears to be improprieties by the President in connection with the Whitewater case.

During his deliberations, the judge meets on Capitol Hill with a U.S. Senator who has led efforts to oust the first special prosecutor because the first special prosecutor's professional ties appears to conflict with his duties as special prosecutor.

Shortly after the meeting between the judge and the Senator, the three-judge panel replaces the first special prosecutor with a new special prosecutor, never mind that public statements made by the new special prosecutor against the President appears to bring into question his objectivity in conducting the investigation.

Meanwhile, the judge and the Senator tell us that appearances can be deceiving, and are insisting that nothing untoward occurred during their lunchtime meeting.

Mr. Speaker, this whole thing appears to me to be nothing more than partisan politics while wasting the taxpayers time and money in search of something—anything—which appears of substance in this whole Whitewater washout.

#### BURUNDI THREATENED WITH MASS GENOCIDE

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLF. Mr. Speaker, I want to speak about Burundi, but before I do, let me just say that Ken Starr, who has been appointed special prosecutor, is a good friend of mine, and he is one of the most honest, decent, ethical, and moral men I think I have ever seen in this city. He is somebody that we have on both sides shown a lot of confidence in.

Mr. Speaker, the lessons of Rwanda are clear. Quick action by the international community could have prevented mass slaughter in Rwanda. It could have saved thousands of lives and millions of dollars in humanitarian assistance. Let us not let another chance to pre-empt genocide in Burundi slip away.

We had reports in June from missionary groups in Burundi that the potential for massive bloodshed was there. The same Tutsi factions responsible for the death of 20,000 Hutus last fall have plans to get rid of any Hutu leaders who stands in the way of assuming full control of the government. Trouble is brewing and tensions are rising. On Tuesday, the New York Times reported that the United Nations, CARE, Doctors without Borders, and other remaining relief organizations have all



pulled their people out over the weekend.

The interim President set an August 26 deadline for naming a new President and forming a new coalition government after missing a constitutionally mandated July 12 deadline. Last weekend the factional leaders snubbed a United Nations proposal to send in a peacekeeping force and international monitors to calm the tensions. The United States should be helping bring the sides together.

If this deadline goes by without reconciliation we could be looking at mass chaos. There is a small window of opportunity here to be peacemakers, rather than crisis managers.

Please understand that I am not talking about sending in American troops, only American diplomats. Maybe Secretary Christopher should go over to help broker peace. Maybe we should send a special envoy. All I know is that we should do something now to prevent another humanitarian disaster. Let us not sit on our hands. And watch many more men, women, and children be brutally killed.

#### CONFRONTATION POLITICS THREATENS ENACTMENT OF THE CRIME BILL

(Mr. HUGHES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUGHES. Mr. Speaker, the eyes of the world are upon us, and we are looking at how we are going to deal with the crime bill. As a House conferee and a Member of this House for 20 years, I am saddened as I leave because I see confrontation politics being the order of the day, and it is very evident, particularly in the crime bill.

The crime bill is not essentially different than it was when it left the House. This side of the aisle, unfortunately, or much of this side of the aisle, does not want to see a crime bill. Thirty-seven Members on this side of the aisle voted for the crime bill when it left the House, and it had midnight basketball in it. It also had a lot of other initiatives that have been criticized but which most of the Members support—such things as alternatives for youthful offenders, to try to do something to provide sentencing judges with more options so we can intervene with juvenile offenders earlier in the process and not wait for the 15th time they get into the system, but try to intervene the third time.

On this side of the aisle we lost a lot of votes because of assault weapons. On both sides of the aisle we have seen confrontation politics, and that is why the crime bill is in trouble.

□ 1030

#### DEPOLITICIZE THE CRIME BILL

(Mr. GOODLATTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOODLATTE. Mr. Speaker, over on 1600 Pennsylvania Avenue, White House spin doctors are working overtime to try and convince Americans that their so-called crime bill actually fights crime instead of providing exciting new job opportunities for Washington, DC, bureaucrats and giving criminals new loopholes through which to wiggle.

Meanwhile, average Americans are still waiting for real relief from the daily threat of violent crime.

That is why 58 courageous Democrats, nearly 1 out of every 4 Democrats, joined Republicans last week in a bipartisan effort, temporarily stopping this boondoggle.

Once again President Clinton is looking at scoring political points with cheap rhetoric and expensive Government giveaway programs. Unfortunately, he is doing this instead of actually cracking down on the violent thugs terrorizing American neighborhoods.

#### IMMIGRATION EMERGENCY WITH CUBA

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAZZOLI. Mr. Speaker, the United States is facing an immigration emergency. The immigration emergency which now we face is with respect to Cuba. We had a briefing of our Subcommittee on International Law, Immigration, and Refugees, at our request, yesterday regarding the preparations that we are making in the United States to deal with this immigration emergency.

I might say that something like 6,000 Cubans have already come to the United States this year, compared to 3,000 last year, 1,000 already in August which is only half over, and as many as 500 are coming a day.

I am pleased to know the administration has a kind of broad plan to deal with the emergency, but it is impossible to deal effectively with the emergency, Mr. Speaker, so long as the 1966 Cuban Adjustment Act remains on the Statute books. The act allows Cubans, unlike any people in the world, to come to the United States, even for economic reasons, and be resettled and eventually get their citizenship. I think the President ought to examine some way by Executive order to suspend some applications of the Cuban Adjustment Act.

I might also remind everyone, Mr. Speaker, that there is nothing in the

Cuban Adjustment Act which prevents interdiction of Cubans as we do with Haitians. I think it also should be considered in interdicting Cubans that they be landed in places other than the United States to avoid triggering the Cuban Adjustment Act as we await other administration decisions on how to deal with this immigration emergency.

#### BURUNDI MUST NOT BECOME ANOTHER RWANDA

(Mr. EMERSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EMERSON. Mr. Speaker, clear evidence of increasing ethnic tensions and violence in Burundi, Rwanda's neighbor, is demanding that the international community not only imagine but that it demonstrate what it has learned from the horror in Rwanda. With alarm, we are witnessing in Burundi a familiar pattern of deteriorating conditions, but I fear we can only find marginal efforts by the international community to intervene, to make the timely and critical difference, to effectively mitigate the spiraling pattern of violence. If the international community does not heavily insist on conflict resolution in Burundi it will never know if it could have prevented yet greater instability in central Africa.

Bipartisan American leadership in providing humanitarian relief to refugees in complex emergencies is well established. I call upon the administration, in the strongest possible terms, to urgently provide an equal degree of leadership in addressing with all possible ways and means the alarming escalation of conflict in Burundi. We cannot once again say, "Who could have imagined."

#### SOCIAL PROGRAMS TO PREVENT CRIME ARE NOT PORK

(Mr. SANDERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SANDERS. Mr. Speaker, the crime bill is far from perfect, but I'm getting a little bit tired of hearing from some Members who criticize every program that will try to prevent young people from turning to crime, violence, and drugs as pork.

Let me be very clear, I do not consider it as pork or wasteful spending if we are successful in developing approaches which keep young people from turning to crime, drugs, and violence. In fact, I consider that money very well spent and an important investment for the future of this country. Further, when we spend \$25,000 a year to keep one prisoner in jail, I consider crime prevention to be very cost effective for the taxpayers, in other words,

I would prefer to spend a few hundred million dollars on a program which keeps kids from turning to crime than a hundred times more money keeping those same young persons in jail.

Mr. Speaker, given the fact that we already have the highest rate per capita of incarceration in the entire world, I think that it's high time that we begin to look at the root causes of crime which have an enormous amount to do with poverty, lack of education, lack of jobs, and lack of hope.

Mr. Speaker, I find it interesting that when some Members of the Congress vote for huge tax breaks for the wealthy, that's not pork, but when we vote for funds to save the lives of our children and the most at-risk people in this country, that is pork.

I find it interesting that when some Members vote to spend almost \$3 billion for star wars that's not pork, but when we vote \$1.8 billion to protect women against violence, that somehow is pork. I find it interesting that when some Members vote \$70 billion for the space station that's not pork but when we vote a few hundred million dollars for after school programs and athletic programs, that is pork. I find it interesting that when we level-fund spending for the intelligence agencies, despite the end of the cold war, that's not pork, but when we put money into athletic programs and boys and girls clubs, that is pork.

My conclusion, Mr. Speaker, is that for some Members of Congress any legislation that helps the wealthy, the Defense Department or the CIA, is a great investment for America. However, any legislation which will improve life for the poor, and the most vulnerable, and will keep young people out of jail, is considered pork and wasteful. Mr. Speaker, let us get our priorities right.

#### HEALTH CARE PLAN: BIGGER IS NOT BETTER

(Mr. LINDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LINDER. Mr. Speaker, in this health care debate, we have gone from the Clinton plan to the Clinton-Mitchell plan and now to Clinton-Gephardt. The plans have gotten bigger, but not better. In fact, it is hard to imagine these Government-controlled health reform ideas becoming any worse for America's small businesses and their employees.

An independent study for the National Federation of Independent Businesses shows that Clinton-Gephardt will cost more than 1.3 million jobs and cause pay cuts for 11 million more workers.

My State of Georgia would lose more than 33,000 jobs. Almost 300,000 people in my State will face wage cuts if the Democrats are able to ram the ill-con-

ceived Clinton-Gephardt bill through Congress and down the throats of the American people.

We all agree that Americans should not have to lose health care coverage when they lose their jobs. But that does not mean the Government should force employers to issue 1.3 million pink slips to test the theory.

#### CHARLTON HESTON WILL BE REMEMBERED FOR LYING TO AMERICANS

(Mr. MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, the actor Charlton Heston should be remembered for his great career as an actor, but he will not be. He is going to be remembered for not telling the American public the truth, because that is what he is doing by joining the National Rifle Association in its campaign of lies against the crime bill. He is using his credibility as a respected actor to give credibility to those lies and distortions by the NRA against the crime bill.

Charlton Heston should understand that the crime is lying to the American public.

#### LEANER, MEANER HEALTH CARE PLAN NEEDED

(Mr. EHLERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EHLERS. Mr. Speaker, we have heard time and time again from the current administration that their goal for health care is to reduce costs and improve efficiency. However, I fear we will have the opposite. An example is what I hold in my hand, an inch-thick survey response submitted by an ambulatory health care facility in my district in response to a questionnaire from the Health Care Financing Administration.

The physician who gave this to me estimated it took 120 hours of staff time, plus a considerable amount of his time, at a total cost of approximately \$10,000 simply to respond to this survey from the Federal Government. This, I fear, is a prime example of what Government involvement in health care will do.

Ultimately, it is the users, the patients, who will pay the bill for this sort of thing. It will not reduce health care costs. What we need is a leaner, better, more efficient health administration, not a more bureaucratic one that is going to result in surveys such as this.

I recommend that we work in the direction of a leaner, better, health care plan.

ADVICE TO CHARLTON HESTON: THOU SHALT NOT BEAR FALSE WITNESS AGAINST THY NEIGHBOR

(Mr. SCHUMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHUMER. Mr. Speaker, first Charlton Heston thought he was Ben-Hur.

Then he thought he was Moses.

Now he thinks he is an expert on the crime bill.

The truth is, Charlton Heston is simply another movie actor, playing another role, reading someone else's words.

And the script Charlton Heston is reading, Mr. Speaker, was written and paid for by the National Rifle Association.

If anyone in this House thinks Charlton Heston has actually read—much less mastered—this crime bill, there is a bridge up in Brooklyn I would like to sell them. The truth is, Charlton Heston does not know a darned thing about this crime bill. He is simply lobbying for assault weapons.

It is shameful—shameful—for a man who played the role of Moses, the original lawgiver, to now be selling lies for the NRA in the name of killing machines.

I say to Charlton Heston, remember the Commandment Moses gave us: Thou shalt not bear false witness against thy neighbor.

□ 1040

#### THE CLINTON HEALTH BILL

(Mr. BARTLETT of Maryland asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Speaker, as we wait to vote on health care reform, and that should not happen until after we return in September or better in the new year, let us keep one thing in mind: Whatever we pass could have easily been passed in February 1993.

The original Clinton bill was a mistake. The House bill now being drafted is a mistake. Reports state that there are about 160 votes for it. The liberal leadership in the House has ignored the moderate coalitions that voted in Clinton, Bush, and Reagan.

Here is the proof: The committee and subcommittee chairs of Ways and Means and Energy and Commerce all had their own reform bills and none have made it to the floor in the last two Congresses. Of the two Democratic bills we will probably vote on, one is a single payer plan that is supported by less than 50 percent of their party and the other is the leadership bill that could only make it to the floor by circumventing the entire legislative process.



The congressional Woodstock generation should stick to music, for they have failed miserably at health care reform.

### CRIME BILL DEBATE

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, the Republicans have crowed about some victories they have had this year. Correctly so, they did achieve mayoral victories in two major U.S. cities, Los Angeles and New York. I would like to inform my friends on the other aisle that the two Republican mayors of those two cities visited this town yesterday to deliver a strong message to this body—pass this crime bill now.

Both Mayor Riordan and Mayor Guiliani, a former prosecutor, were on one accord with their Democratic colleagues in urging this body to act swiftly in passing the Omnibus Crime Control bill. They were not partisan in their approach because they realize that crime affects all of their citizens.

The crime bill which we will soon have the opportunity to vote upon is a good prescription for the pervasive crime problems which are so common to our Nation's cities. It includes a "three strikes and you're out" provision which I proposed last year. The "three strikes and you're out" part of the bill removes repeat violent offenders from our society who have proven by their actions that they no longer deserve to be part of an ordered society. Additionally, the bill is tough on criminals and provides additional funding for prisons to house them. Moreover, it provides for an additional 100,000 police officers to protect our communities and it provides for programs to keep kids off the streets and out of gangs.

We cannot let our cities down. This crime bill is essential to their ongoing struggle to combat crime. We need to quickly pass this crime bill so that Mayors Guiliani, Riordan, and other mayors throughout this country can do what their constituents elected them to do.

### FAILED CUBAN POLICY

(Mr. MICA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICA. Mr. Speaker, we have seen this administration's bungled policy that brought 12,000 Haitians to my State last year and 15,000 now being held in Guantanamo.

As a Member of Congress from Florida, I am now gravely concerned about our policy relating to Cuba.

This administration says it will stop another Mariel boatlift.

Unfortunately our current policy is not working. Last year only 2,800 Cubans fled their island prison for the United States. In the last 2 weeks nearly that number has reached our shores.

By the end of this week 8,000 new Cuban refugees will crowd Florida's hospitals, schools, streets, and social service centers. Yesterday, more than 500 arrived.

Let us face it. As reported in the media today, a slow-motion Mariel is already taking place.

Unfortunately, we have allowed Fidel Castro to dictate our foreign policy. Our present policy provides transportation and potential death for those fleeing by sea. Hundreds are dying, if not by Castro's hand, by our policy.

We need a policy to stop this influx and one to promote freedom in Cuba now.

Only a policy to free Cuba will provide a permanent solution. Only a policy to bring down Fidel Castro will resolve this dilemma.

### RESTORE TAX FAIRNESS

(Mr. JEFFERSON asked and was given permission to address the House for 1 minute.)

Mr. JEFFERSON. Mr. Speaker, I rise to suggest that Congress made a mistake last year. By reducing business meal deductions to 50 percent, Congress hurt thousands of hard-working Americans in the transportation industry.

To ensure public safety, Federal regulations force truckers, bus drivers, railroad crews, and airline flight crews to eat and rest at regular intervals.

So, many federally regulated transportation workers eat at truckstops and sleep at modest motels 200 or more days a year—clearly ordinary and necessary business expenses, anything but lavish or frivolous.

These costs for meals and lodging are legitimate expenses forced by Federal regulations, not three-martini lunches; and Congress should eliminate this tax injustice.

Mr. Speaker, I have introduced legislation to restore tax fairness and the 80 percent business meal deduction for these transportation workers. I will work with Senator HERB KOHL who has introduced similar legislation and I urge Congress to correct this mistake before adjourning.

### HAWAII WOULD LIKE TO SAY ALOHA TO MANDATES

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, last night I participated in a special order on employer mandates. The State of Hawaii was used to portray how successful this approach is in achieving universal coverage.

Earlier this year the owner of the Paradise Flower Farms, Inc., employing 17 full-time people on the island of Maui testified before Congress.

In thinking they were doing employees a favor by increasing State mandates, the State of Hawaii only caused worse hardship for workers. Their wages rose at slower rates, and they ultimately received less health care than they previously had. We are at a point in our business that we will do anything to avoid hiring one more person—not for lack of need, but because we cannot afford them.

An HMSA, Hawaii's Blue Cross/Blue Shield, small business premium for a single individual was \$57.54 in 1987 and was \$214.98 in 1993, which is an increase of nearly 375 percent in 6 years. For a family plan which covered the employee and dependents, the cost of the premium in 1987 was \$213.34, and in 1993 it had escalated to \$597.92. That represents over a 300-percent increase for families wishing to purchase health care coverage.

Additionally, in the August 5, 1993, edition of the New England Journal of Medicine it was pointed out that Hawaii currently led the Nation in terms of hospital expenses and throughout the 1980's it was fourth, behind only New York, Alaska, and Connecticut. This means that Hawaii's mandate has not decreased the number of people uninsured in the State, or has it been successful in controlling increases in health care expenditures relative to the rest of the Nation.

We should remember this history of mandates in Hawaii and not make the same mistakes with the Gephardt-Clinton plan. No employer mandates, Mr. Speaker.

### COURT RULING IN TEXAS

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, it is appropriate that you are in the chair this morning.

Yesterday, a three-judge Federal panel in Houston, all of whom were appointed by Republican administrations, ruled that three Texas congressional districts were unconstitutional. They stated these districts were drawn to maximize participation of minorities, that they violated the 14th amendment to the Constitution.

The 29th District, which I am honored to represent, is one of these minority districts. It is comprised of hard-working men and women who share more than their race or their ethnicity. The people of this district are working-class citizens that are the backbone of this Nation, and this court ruling seeks to divide them and to minimize their voices and to even confuse the electorate even more on what district they live in.

This court case is not about the pigmentation of someone's skin. It is

about politics. We in Washington sometimes let our partisanship get in the way of lots of issues, but it should not happen in a Federal court and that is what is happening now.

In the end I am certain that we will prevail and that this district that I am proud to represent will remain intact. We cannot allow a partisan ploy by a three-judge Federal panel to disrupt the election process, whether it be in Louisiana, North Carolina, or Texas.

#### MIDNIGHT BASKETBALL

(Mr. HOKE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOKE. Mr. Speaker, midnight basketball. How many of us have heard about midnight basketball. We on this side of aisle have used it as a laughline for the past couple of weeks. We have heard Members try to define it on the other side of the aisle.

Let us think about midnight basketball for just a minute. What is the history of evening sports leagues in our country?

Think about this: the YMCA has been running evening sports leagues for a long time. Maybe not at midnight but certainly the 7, 8, 9, 10 at night. It gives people something to do at night. It uses their facilities at night. It is a good idea.

What about this idea of spending Federal money at \$40 million for midnight basketball? If you are going to have a basketball game that starts at midnight or at 12:15 or 12:30 and it goes for a couple of hours, you are finished at 2, 2:30, shower. What on Earth are we thinking about? Why are people up, and we are talking about youth, I assume, why are people up until 3 in the morning and we are spending Federal dollars so that they can be up playing basketball? Should not kids be in bed between 12 and 3 in the morning? Or is this some sort of legislative blackmail that would suggest if they are not playing basketball they are going to be committing crimes. It does not make any sense. Think about it.

□ 1050

#### LAW ENFORCEMENT EXPERTS WANT CRIME BILL WITH CRIME PREVENTION PROGRAMS

(Mr. DURBIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DURBIN. Mr. Speaker, I would like to make an admission to all those listening to my statement. I am not an expert on crime. I would like to also concede that there has not been a single Member of the House of Representatives, Democrat or Republican, in the well this morning who is an expert on

crime. We rely on other people and their judgment.

I went back to my home district of Illinois and met with the judges, the prosecutors, the probation officers, the men and women who put on their uniforms every day to protect us in our homes and communities. I said to them "What do we need in America to reduce the threat of crime against our families?"

They said many of the things that are included in this crime bill: more policemen, tougher sentencing, more prisons, take the assault weapons off the street, and in each and every conversation after they had finished that litany, they said "and, Congressman, incidentally, you cannot reduce crime just by building more and better prisons. You have to do something to reach these kids before they turn to drugs, before they turn to violence, before they turn to gang activity."

The previous speaker here was mocking the idea of midnight basketball. He thought \$40 million was an outrageous sum. I am sorry to report to him that we are now building the latest Federal prison in my district at the cost of \$58 million. Let us do something to get to these kids before they turn to crime.

#### AMERICA RECOGNIZES HAWAII FOR EXCELLENT HEALTH CARE

(Mr. ABERCROMBIE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ABERCROMBIE. Mr. Speaker, the Speaker always asks for what purpose does the gentleman want to be recognized. I see we are recognizing Hawaii for something besides being a vacation place. Thank you very much. I am very pleased to have one Member of the opposition come up and try and say why Hawaii does not have part of the answer for health care.

I ask any of these Members who are so anxious to downgrade the Hawaii program, come out to Hawaii and run for office. Come out to Hawaii and run against health care. We have had health care for 20 years in Hawaii, and I defy any Republican Member to come out there and run against health care in Hawaii and see how far you get.

You cannot take it away because we have the answer out there, universal coverage, coverage that cannot be taken away from anyone, coverage that is totally portable. We cover our employees out in Hawaii.

We are proud of our health care system out in Hawaii, and if the Republicans do not want to have it, then they can have the same situation they have out in Hawaii; namely, they are in a minority that cannot even be seen because they are against the interests of people. Be for health care. Come out to Hawaii and you will see how it works.

#### HAWAIIAN COVERAGE NOT UNIVERSAL, AND AMERICA'S THREE BIG PAPERS DESCRIBE LATEST VICTIMS OF WHITEWATER

(Mr. DORNAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORNAN. Mr. Speaker, Hawaii, 91.32 percent coverage, not universal; unacceptable to liberal Democrats on the mainland, but I will go there any time. The problem is, there is no Republican Party in Hawaii, just like there was no Republican Party in Arkansas since the Civil War; hence, this strange focus of Clinton ignoring the loyal opposition.

Mr. Speaker, I know members want to hear from the three big papers in America: First, our national paper, the U.S.A. Today: "Poll reflects Clinton setbacks, disapproval rating up, as Altman resigns." The Los Angeles Times: "Altman is the highest-ranking victim of Whitewater." The New York Times: "Roger Altman under fire."

It looks like they are caning him on the streets of one of our cities. The New York Times is cute when they select their photographs.

Here is the Washington Post, liberal paper of record: "Whitewater reverses banker's ambitions," and members are sacrificing their ambitions, at least 50 of them, on the altar of being a friend to Bill.

However, there is a last one, Mr. Speaker, what a sad picture. It says he is the third victim. What about Vince Foster? He is the fourth victim. Hansen to come, then Josh Steiner, then about 20 of you.

#### INTRODUCING LEGISLATION EXTENDING PREVENTIVE HEALTH CARE THROUGH MEDICARE

(Mr. REGULA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. Speaker, today I, along with the gentleman from New Jersey, Mr. BILL HUGHES, Chairman of the House Older Americans Caucus, I am introducing legislation which expands preventive health care services through Medicare, saving both lives and Federal tax dollars.

The bill establishes a 4-year demonstration project which would provide Medicare patients with preventive services such as screening for colon cancer, prostate cancer, and osteoporosis. If cost and health improvement criteria found the program effective, such services could then become reimbursable nationwide under Medicare.

Our proposal is based on a pilot project I sponsored 5 years ago—reimbursing Medicare patients for flu shots. The flu shot program is estimated to save \$60 million annually in Medicare



outlays and nearly 60,000 lives. Moreover, the program improved the flu shot delivery system.

Through expanding Medicare benefits with the preventive services outlined in our bill, I believe that we can further reduce our Medicare and health care costs. I urge all Members who support improving Medicare services while preventing thousands of unnecessary deaths of senior citizens to join us in cosponsorship.

#### TIME FOR GOVERNMENT TO ASSIST FLORIDA WITH CUBAN IMMIGRATION PROBLEMS

(Mr. SHAW asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHAW. Mr. Speaker, as we sit here this morning, a tragedy is playing out in the straits of Florida, that body of water 90 miles wide separating the Florida keys from Cuba. Thousands of Cubans, thirsting for freedom, are risking their lives to come out to the 12-mile limit where they know that our ships are moored.

These ships right now have the policy of staying there, picking these Cubans up, and bringing them into the State of Florida. Yet the Federal Government has yet to release one single dollar of Federal assistance. What these ships are doing is what the flotilla did during the Mariel boatlift. We are picking up the Cubans and bringing them to the United States.

We are the magnet. We are the attraction. We are responsible for the death of hundreds of Cubans who are dying at sea, coming in no more than an inner tube, thinking they can make that 12-mile voyage.

It is time that we get the word to Cuba: The people must stay there. They are endangering their lives. They must not take this dangerous journey, and it is time for the Federal Government to live up to its responsibility and answer the people of Florida, who are asking no more than the assistance for a mess that is being caused by the Federal Government.

#### AMERICA NEEDS MORE CRIME FIGHTERS, NOT MORE SOCIAL PROGRAMS

(Mr. HUNTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUNTER. Mr. Speaker, my colleague, the gentleman from New York [Mr. SCHUMER], has just blamed Charlton Heston for the failure of this pork barrel boondoggle that we humorously refer to as the crime bill. He even criticized Mr. Heston's role as Moses in the Ten Commandments.

Coming from his big government district in New York, Mr. SCHUMER prob-

ably would have preferred a movie entitled "Pharoah Knows Best." Charlton Heston did not kill the crime bill. The American people looked at the promise of the gentleman from New York [Mr. SCHUMER] to make the rest of the country as safe as New York City, and the American people said "that is what we are afraid of."

If pouring social programs into New York City solved crime, there would not be a single pickpocket left. Hug-a-thug does not work. We need more Ben Hurs, more Will Pennys, more Andrew Jacksons, and more Moseses.

□ 1100

#### I DON'T THINK THAT'S GOOD NEWS

(Mr. WALKER asked and was given permission to address the House for 1 minute.)

Mr. WALKER. Mr. Speaker, a few days ago, the former Member of Congress, Mr. Coelho, was named as the senior adviser to the Democratic National Committee and he appeared on television this morning on "The Today Show." He said an absolutely astounding thing on "The Today Show," this morning. He said that what the Fed did on interest rates this week, raising them by a half a point, was, and I quote him, "Good news really."

Well, that is a rather amazing statement. This is the administration that just a few months ago was telling us how low interest rates were a sign of the success of their economic policy. Now you have the new head of the Democratic National Committee telling us that when the Fed is raising interest rates because the administration's policies are leading us into inflation. "That's good news really for the economy."

I don't think that's good news for the person trying to buy their home. I don't think that's good news for the person trying to buy a new car. I don't think that's good news for the small businessman trying to get started. I don't think that's good news for the economy as a whole.

Mr. Speaker, it is not good news to have inflation going up and interest rates going up. And when the head of the Democratic National Committee suggests it is, there is something really wrong in the economy.

#### A BIG SLIP AND A PINK SLIP

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, according to a CNN poll, the first time a majority of Americans, 52 percent, disapprove of the President's performance. At the same time, only 39 percent approve of the President's performance.

Perhaps, the President's big slip in the polls has something to do with the pink slip his health care plan would send American workers.

The National Federation of Independent Business, America's premier small business association, recently sent this to my office.

It is a pink slip. As anyone who works for a living knows, it means "you're fired."

This one says 82,000 Texans will lose their jobs if the Clinton health care plan passes.

A pink slip is the last thing anybody wants to see in their pay envelope, but it will be one of the first things folks will see if the Clinton health plan passes.

According to the NFIB, the Clinton health care bill will send out 1.3 million of these across the country. And 11 million workers who do not see one of these, will see less of these [dollar bill] if Congress enacts this big government, big spender, big-job-loser Clinton health care plan.

A big slip for President Clinton and a pink slip for American workers. Congress should remember this before it starts playing doctor.

#### WAIT TILL NEXT YEAR

(Mr. ROHRABACHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROHRABACHER. Mr. Speaker, I have listened with interest to the analysis of our fellow colleagues on the other side talking about how great the economy is doing and how President Clinton deserves all of the credit. Let me note that the jury is still out on what the Clinton program will do to the American economy.

Many of us remember what happened during Jimmy Carter's administration, where for the first 2 years it was very good, we had a very good economy. But then Jimmy Carter's economic policies began to impact on the economy and very quickly things went to hell in a hand basket. I would suggest, having worked in the White House, that it does take 2 years for a President's policies to fully impact the economy. We are already seeing warning signs that the increased taxation, the increased level of regulation and government interference brought by this administration is having a deleterious effect on the economy. We will be able to know full well next year.

As the interest rates rise and the dollar overseas is embattled, do not tell us that this administration is having a positive effect. Just wait until next year.

**WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4603, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1995, AND FISCAL YEAR 1994 SUPPLEMENTAL APPROPRIATIONS**

Mr. BEILENSEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 523 and ask for its immediate consideration.

H. RES. 523

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4603) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies programs for the fiscal year ending September 30, 1995, and making supplemental appropriations for these departments and agencies for the fiscal year ending September 30, 1994, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The gentleman from California [Mr. BEILENSEN] is recognized for 1 hour.

Mr. BEILENSEN. Mr. Speaker, for the purpose of debate only, I yield the customary one-half hour to our colleague, the gentleman from Florida [Mr. GOSS], pending which I yield myself such time as I may consume. During debate on this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 523 is the rule providing for the consideration of the conference report on H.R. 4603, the fiscal year 1995 appropriations bill for Commerce, Justice, State, Judiciary, and Related Agencies.

The rule waives all points of order against the conference report and against its consideration. Under the rule, the conference report shall be considered as read.

Mr. Speaker, in granting this rule, the Rules Committee recognized that it is especially urgent that this conference agreement be considered today because it includes \$470 million in fiscal year 1994 supplemental appropriations for the Small Business Administration's Disaster Loans program account. That program provides relief for the victims of the Los Angeles earthquake, which had an especially disastrous effect on districts of some of those who represent those unfortunate areas, as well as for those who suffered losses from the recent floods in Georgia, Florida, and Alabama. In Los Angeles alone, the SBA has been faced with an overwhelming number of applications for loans from homeowners and from small businesses. The Small Business Administration ran out of disaster loan funds on August 17, and in order to provide this much-needed assistance for the victims of these disasters as

quickly as possible, and to complete the work of the bill, a rule was requested to waive all points of order against the conference report, thereby allowing expeditious consideration of the bill by the House.

The rule waives clause 2(a) of rule 28, requiring a 3-day layover of the report before it is considered. The prohibition on legislation in an appropriation bill is waived against several amendments, including one dealing with the Omnibus Crime Control and Safe Streets Act and another dealing with bankruptcy judges.

The rule prohibiting unauthorized appropriations is waived against amendments dealing with the Border Patrol, the Immigration Emergency Fund, and over \$2 billion in funding for programs included in the crime bill, which as we all know or think we know awaits our final approval, including \$1.3 billion for community policing; \$450 million for Byrne formula grants; \$284 million for the immigration initiative; and \$130 million for the State Criminal Aliens Assistance Program.

Clause 3 of rule 28, dealing with scope, is waived for an amendment which restores Securities and Exchange Commission funding, changes in the Asia Foundation figures, and a new title providing funding for a variety of programs through the crime bill's trust fund.

Mr. Speaker, the waivers also protect sections of the agreement against points of order because it contains appropriations for several agencies that have not been reauthorized, and a number of general provisions, most of which have been carried for several years.

Authorization has not yet been enacted for most of the appropriations items in the Department of Justice needed for the war on crime and drugs, including the FBI, the DEA, the INS, the U.S. Attorneys, and the Byrne grants for State and local law enforcement assistance.

Mr. Speaker, the conference agreement on H.R. 4603 provides over \$26 billion in funding for fiscal year 1995. This amount is nearly \$90 million less than the administration request and about \$3 billion above the amount enacted in fiscal year 1994, most of which is for law enforcement and Border Patrol enhancements. According to the House Committee on the Budget, the conference report is \$108 million in budget authority and \$37 million in outlays below the section 602(b) allocations for the subcommittee. As passed by the House originally, the bill appropriated \$27.2 billion while the Senate version appropriated \$28 billion.

In addition to the supplemental appropriation for the SBA which I mentioned earlier, the agreement provides \$12 billion for the Department of Justice, \$4.2 billion for the Department of Commerce programs, nearly \$3 billion

for the Federal Judicial System, and \$4 billion for the Department of State, including \$533 million for international peacekeeping activities.

Mr. Speaker, as both the chairman and ranking minority member of the subcommittee testified, this bill is a major crime-fighting initiative, with billions of dollars for police hiring, prison construction, and a restoration of proposed cuts in Federal law enforcement personnel.

The agreement includes several new immigration initiatives to help in the fight against illegal immigration, which is being waged primarily in several States, about half a dozen principally, including California, Florida, Texas, New York, and a couple of others. Substantial increases in the number of Border Patrol agents are funded by the agreement, and for the first time the Federal Government is appropriating funds for the State Criminal Alien Assistance Program which was first authorized back in 1986, reimbursing States at least partially for the costs of incarcerating undocumented criminal aliens.

Mr. Speaker, I commend the new chairman of the subcommittee, the gentleman from West Virginia [Mr. MOLLOHAN] and the ranking minority member, the gentleman from Kentucky [Mr. ROGERS], for their cooperation in bringing us this measure for financing some of the functions of our Government that are most obvious and necessary for all of us and for our constituents. I know it has been a difficult task but their agreement on the provisions of the conference report and their ability to work cooperatively is, we think, in the Committee on Rules a good example for all of us.

Mr. Speaker, I reserve the balance of my time.

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this Commerce, Justice, State, and Judiciary appropriations conference report contains money for many vital programs as the gentleman from California [Mr. BEILENSEN] has just outlined, including funds to combat the No. 1 problem in America, crime. In fact it was suggested yesterday in the Committee on Rules that perhaps we should scrap the so-called crime bill and just concentrate on this bill because we know we are going to get something done and get some money focused on the problem this way, because this calls for real crime prevention, drug enforcement, and prison construction. Those are the kinds of things Americans are asking for and are apparently a lot less controversial than some of the other sort of more welfare-social programs that are included in the crime bill that we were discussing last week and around the edges on this.



□ 1110

The conference report for H.R. 4603 contains important increases in programs aimed at controlling the rising tide of illegal immigration: \$2.1 billion will help beef up safety and security of our borders and provides almost a thousand new Border patrol agents.

Now that is terrific news, but it is not enough, and it is not enough because we know as we stand here that we have yet another problem coming across the Florida Straits, this time from Cuba, which is no surprise, and we apparently are not ready again to deal with this. And even with a thousand new Border Patrol agents, the estimates are we are not going to be able to control the illegal immigration problems we have got. And of course, the Federal Government, as has been pointed out by several speakers in the 1 minutes this morning, still has not paid up their debt to the States that have been most affected by the illegal alien problem and the lack of the Clinton administration and previous administrations to provide adequate border safety.

California, Texas, Florida, and States like that come to mind. That is a good step in the right direction, and for that we should be happy. But it is not enough. States such as Florida, California, and Texas are currently suffering the fiscal and social consequences of the Federal Government's failure to control illegal immigration.

I guess it is interesting that it has become such a point of desperation that the Governor of Florida, who happens to be in the same party as the President of the United States, is now suing the Clinton administration to get the money back to the State of Florida to pay for the failure of that Federal program.

Increases in this bill certainly will not solve all of the problems. But it is going in the right direction, and it is doable. While I still have specific concerns over specific items such as the tremendous sums in this bill for U.N. peacekeeping missions, and it is not just myself that is concerned on that, we have plenty of cards and letters, and I know every other Member of this body does about how much money we are paying for peacekeeping, and where it is coming from, and what are we doing actually in peacekeeping missions, what are the beginnings of them and what are the ends of them. I think a majority of the Members recognize the importance of bringing the legislation to the floor despite these problems.

However, I am troubled by the fact that this is the second rule granted for the consideration of this bill. Under the standing rules of the House, appropriations bills and conference reports, as we all know, are privileged, making them come to the floor without any special rules. This June the House con-

sidered H.R. 4603 under an open amendment rule, but one which waived all points of order against the bill. That means it protected whatever was in the bill. While that rule was supposedly open, that meant any Member could make an amendment, it did not provide for an equal playing field for the amendments because the amendments were not protected. So what that means to say is that people who put the bill together were given special protection and those Members who had legitimate debate points that they wanted to bring up were not given the same treatment, and they were subject to points of order, while the people who put the bill together were not. That just does not seem fair, and unfortunately it is getting to be a trend.

We face a similar dilemma today. This rule provides blanket waivers for the conference report.

Yesterday I asked subcommittee Chairman MOLLOHAN what parts of the conference report violated House rules, and he said he did not actually know, that the appropriations subcommittee had not prepared such information. And to be very fair to the gentleman, who gave candid and good testimony, the gentleman from West Virginia [Mr. MOLLOHAN], is certainly not the first chairman to seek a blanket waiver against all points of order and to not know exactly what they are. The gentleman from West Virginia [Mr. MOLLOHAN], in his defense, did offer to try and provide the information, so this is not about what happened yesterday in the Rules Committee. It is about what has become an all too common occurrence in the Rules Committee to provide a waiver without even attempting to go compile and understand what violations exist in the bill.

Another problem with the waiver will be highlighted by the gentleman from California [Mr. ROHRBACHER]. He came before the Committee on Rules seeking to defend his right, and the right of all Members to seek a separate vote on an item of disagreement in the conference report. I find it very disturbing that a Member has to trek over to the Rules Committee to defend his right to seek a vote on the floor. I find it even more disturbing that the Committee on Rules, by recorded vote, is subsequently going to deny him that right.

Mr. Speaker, while these problems might seem like small stuff to some, remember we are charged with upholding the constitutional rights of every American. It seems a very dangerous precedent to ignore the rights of their elected representatives, thereby refusing those Americans equal representation in the House. The people back in the district of the gentleman from California [Mr. ROHRBACHER] may not realize that he is not being treated with the same advantage as the people in the district of a member of Commit-

tee on Rules, or a member of the committee that has brought forward this legislation, and that puts Americans on an unequal footing, and that is not fair.

I think one of the things the Rules Committee is supposed to do is try and ensure openness, deliberation, and fairness in a debate, and I am not sure we have achieved that in this case, and I am not sure we are achieving it often enough. We have a situation today where we have a disaster relief fund of the Small Business Administration as the reason we are moving this thing so critically through. Presumably that fund expired on August 27, not a good time to have it expire when we have floods going on in Georgia, typhoons or tornadoes in South Carolina, flooding in Florida, and who knows what else going on. These are important things that we can expect we are going to be looking for some disaster relief.

It strikes me as curious that we are taking up in the Rules Committee the remedy for this problem on the very day the fund expires, and that becomes our sense of urgency to rush through a fairly large piece of legislation. It is not exactly new, first impression legislation, but when we look at the number of amendments there were, well over 140, 150 or so amendments that were considered in this conference process, obviously we did not have time to look at the whole, big pile. And I want to thank my friend, the gentleman from California [Mr. BEILENSEN], who has sought out some of the points that we are protecting because they have not had a chance to go all through this report in order to find out exactly what we are protecting by the waiver of the rules. We were given a short, abbreviated list of scope, germaneness, and of legislating, and appropriations problems that needed to be protected that would otherwise have points of order against them. But it was not by any means the whole list. It is certainly not the fault of the gentleman from West Virginia [Mr. MOLLOHAN], and certainly it is nobody's fault in this case. But it is bad business.

The gentleman from California [Mr. BEILENSEN], in good faith has tried to provide as much information as he can, and he has been very helpful. I still have not had an opportunity to review all of this. I am not really concerned about it because I think this bill has been through enough of a process. But I know there are some things in here that we probably do not know about that we would like to ask questions about, and we are providing them protection, and that does worry me because I know we can do better.

Having said that, again I am not making a big fuss about this rule because there is so much important to go forward. But there are patterns here that are disturbing, and I think we have the opportunity to repair those

problems. I hope we will take that opportunity. I do want to thank my friend, the gentleman from California [Mr. BEILENSEN], for sharing with me the new information this morning.

Mr. Speaker, I include for the RECORD the rollcall vote in the Rules Committee on this conference report, as follows:

ROLLCALL VOTE IN THE RULES COMMITTEE ON THE RULE FOR THE CONFERENCE REPORT ON H.R. 4603, COMMERCE, JUSTICE, STATE APPROPRIATIONS, WEDNESDAY, AUGUST 17, 1994

1. Dreier Motion on Blanker Waiver Exception—It was moved that a point of order lie against Senate Amendment #131 (relating to immigration) for failure to comply with clause 2 of Rule XX (prohibiting unauthorized or legislative Senate provisions in a conference report). Rejected: 3-4. Yeas: Quillen, Dreier and Goss. Nays: Moakley, Bellen-son, Hall and Slaughter. Not Voting: Derrick, Frost, Bonior, Wheat, Gordon, and Solomon.

Mr. Speaker, I reserve the balance of my time.

Mr. BEILENSEN. Mr. Speaker, for purposes of debate only, I yield so much time as he may desire and consume to the distinguished gentleman from California [Mr. BROWN], chairman of the Committee on Science, Space, and Technology.

Mr. BROWN of California. Mr. Speaker, I thank my distinguished colleague and friend from California, Mr. BEILENSEN, for yielding me this time.

I have some problems with this bill, and I am not quite sure about the proper way to approach it. I likewise have some problems with this rule which I will describe in some detail. They follow the comments made by the distinguished gentleman from Florida [Mr. Goss], who indicated that there were some problems from his standpoint with the rule also.

Before I get to that, let me briefly recite some history which is the basis for some of his concerns, and it goes back at least 2 years ago, and actually before, in this same period of the year when we had appropriation conference reports coming before us with waivers of all points of order, with no notice to the authorizing committees as to material contained in the conference, which was within the jurisdiction of the authorizing committee. We even had a few examples where an effort was made to obscure and obfuscate the content of the conference report in order to prevent its full consideration by the Members of the House.

This is a serious problem. It is a procedural problem. It is a problem with orderly process in the House which needs to be remedied.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. BROWN of California. I am happy to yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Speaker, those instances the gentleman is referring to were not with regard to the bill out of this subcommittee, however. We

have always been completely forthcoming.

Mr. BROWN of California. The gentleman is correct.

□ 1120

The specific remarks that I am making are not aimed at this subcommittee unless I specifically identify that they are. I will say to the gentleman from Iowa [Mr. SMITH], and I have told him before, that I have enjoyed an unusual degree of cooperation from him when he was subcommittee chairman and an equally unusual amount of cooperation from the present chairman, who has gone out of his way to keep me notified of material in this bill and in this conference report which he thought would preempt the areas of my concern and the concerns of the Committee on Science, Space, and Technology.

I will use this opportunity to thank both the gentleman from Iowa [Mr. SMITH] and the gentleman from West Virginia [Mr. MOLLOHAN] for the obvious and sincere concern. That does not mean that we have reached perfection. I think they recognize that, and I know the gentleman from West Virginia [Mr. MOLLOHAN] has recognized that because I have gone into some detail to tell him why this bill is not perfect and what improvements I would expect in future years.

Many of the problems in this bill have been, over the years, in large part caused by failures on the part of authorizing committees to fully authorize programs that are contained within this bill. As one of those authorizing committee members, I accept my share of the responsibility for these failures. These failures cumulatively, however, have contributed to a breakdown of the orderly processes of the House, have required that the Subcommittee on Appropriations chairman go to the Committee on Rules and ask for a waiver of all points of order. And this is not really being very helpful to maintaining the orderly course of business in the House.

Now, as a result of the events of 2 years ago, as I started to describe, I and a number of other chairmen of authorizing committees proposed some modest changes in the rules of the House which were intended to require that authorizing committee chairmen be notified of material in the conference report in advance and that we be given the opportunity to discuss these with a certain allotment of time during the debate on the conference report.

All points of order against this bill have been waived. The subcommittee chairman made a good-faith effort to notify me. I cannot say for certain that he has notified me of everything within the jurisdiction of my committee. I have not had the opportunity nor has my staff to review it in full detail.

That is more or less immaterial because the rules have been waived. And

if he had not said a word to me, there would still be no point of order that I could raise because the rules are waived.

Similarly, as the gentleman from Florida [Mr. Goss] pointed out, there has not been a full presentation of all of the violations of the rules contained in this bill. So that the Rules Committee could not have specifically said the rules are waived on this and this and this, but not on this, for whatever the reason.

I would suggest that to the degree that it is possible we probably ought to consider making some additional changes in the rules that would allow at least the Rules Committee to know which rules they were waiving. And if that is not the case at the present time, I think it would be generally helpful. Not that this is absolutely essential in connection with most legislation, but there are many age-old statements about the predisposition of people who have power to use that power. And sometimes to use it in ways which are not in the best interests for all of the community in which they are using that power.

Now I am deeply concerned about that, because to the degree that other Members of the House feel that power is being inappropriately used in the House—and this applies to both Republicans and Democrats, I may assure my friends on the Republican side—to the degree that that perception exists, it creates conditions under which orderly legislation becomes impossible. And we have seen many examples of that.

To the degree that the public perceives that the rules of this body are being violated for the interest of a few people in preferred positions, the confidence of the public in the workings of our democratic system are eroded. And this is at the root of some of the distrust, which we are all aware of, that the public has in their elected representatives.

Now I am taking this time to make this statement in order to let all of my friends know that I am not trying to nitpick with the members of the Appropriations Committee, even less with my good friends on the Committee on Rules. I am trying to make the case that we need to make some changes here in observing the orderly process of the House for the protection of the institution and for its continued credibility in the eyes of the people of the United States.

Now, I do not like this rule waiving all points of order. I have notified the Rules Committee in writing on behalf of my committee that we object to rules waiving all points of order. I intend to vote against this rule because it waives all points of order.

I have not attempted to mount a campaign to secure the defeat of this rule, but I do not want my good friends on the Rules Committee to be surprised



if I should choose to do that in connection with some of the other appropriation bills which are currently pending.

Now, I have reviewed this bill, as I have already indicated, with the chairman, who has been unusually gracious in talking to me about it. And while it is not a perfect bill, it is one that I am going to support. And if the rules passes, as I assume that it will, I will vote for this conference report on final passage.

I hope the chairman of the subcommittee will allow me a little bit of time during debate on the bill to say some of the good things about the bill and also some of the things I might object to in the bill. If he is willing to do that, it will be another indication of his generosity and his respect for his colleagues in the authorizing committee, which I have already praised so eloquently.

Mr. Speaker, I hope it is not merely a reflection of the fact that he is a new chairman, and that these traits will not rapidly dissipate as he gains experience; that he will continue to demonstrate the traits of statesmanship and respect for his colleagues during his tenure as chairman of this important subcommittee.

Mr. GOSS. Mr. Speaker, I would like to commend the chairman, the gentleman from California [Mr. BROWN], who just spoke, on his excellent remarks. I think they are very much on target. I take them to heart as a member of the Committee on Rules, and I hope the Committee on Rules will deal with the points he has raised.

Mr. Speaker, I yield 5 minutes to my distinguished colleague and friend, the gentleman from California [Mr. ROHRBACHER].

Mr. ROHRBACHER. I thank the gentleman for yielding this time to me. Mr. Speaker, I rise today on a matter of grave import to the integrity of our country's laws and our Nation's fiscal solvency.

Mr. Speaker, Senate amendment 131, as amended in this conference report, is a legislative provision attached to this appropriations bill, which we have heard an eloquent description of why we should not be doing these things, from my friend and colleague from California, but this opens up a 3-year window for people who wish to flout our country's laws; to do so with impunity.

I want to repeat this, Mr. Speaker, because this provision, put into our bill by Senator KENNEDY, is a violation of both House rules and common sense. We should defeat it. It would, starting this October until October of 1997, if the Kennedy amendment becomes law, we will see that there will be no reason for people who want to come to this country to bother with the normal legal channels. That will be the result of the Kennedy amendment.

All they will have to do is sneak across our border and come up with

about \$800 by any means possible and then they will be granted temporary residence as long as their application for permanent residence is pending.

The bill makes very clear they may be granted temporary residence for as long as their application for permanent residence is pending. Thus they will be eligible to go through the application process, and during that process they will be here legally. Under this status they will be given a work permit and they will be eligible for all taxpayer-paid benefits, even those that by law are supposed to be denied to illegal aliens.

Mr. Speaker, I would like to read this pertinent part of this section. It says, "an alien physically present in the United States who, (A) entered the United States without inspection; or (B) is within one of the classes enumerated in subsection (c)," which means people who have overstayed their visa, "may apply to the Attorney General for the adjustment of their status."

What we see here is people who are present, who entered the United States without inspection, may apply.

□ 1130

That means they are part of the process. This is nothing more than another loophole that is being created in the same way that people were asking for political asylum have a loophole now, and are costing the taxpayers hundreds of millions of dollars, if not billions of dollars, a year.

Mr. Speaker, my opponents claim that somehow the INS will be able to permit the number of people, or limit the number of people, applying by accepting only those applications from those whose green card applications will be approved. No, they will be all put into the process, a process that will last years, just like political asylum seekers. I do not see from the reading of this language how they can deny people and limit the number of applicants by the way this is written.

Mr. Speaker, I read the House language, and it says, "If you're here, and you snuck across the border or overstayed your visa, you may apply." But let us assume for the purpose of argument that they are right and this new immigration law will not permit anyone who sneaks over the border or overstays their visa to apply. Even if we assume all of that to be true, and I do not, they are still rewarding people who have blatantly violated our laws.

Yes, there are some problems they are trying to correct, but there is the law of unintended consequences, like political asylum, where they are creating vast new problems and expenses for the American taxpayer.

Under this provision, Mr. Speaker, anyone who thinks they are eligible would be a fool to obey our immigration laws and go through the normal process. My opponents' arguments are

only about how many illegal aliens we will be rewarding, not whether this provision will make it easier for illegal aliens.

The rules of this House are supposed to protect us against facing such a stark choice as rejecting an entire conference report on a major appropriations bill on one hand or swallowing an egregious legislative provision on the other. Legislative provisions, such as the Kennedy amendment, are supposed to be brought back as amendments in disagreement so the House can vote on them separately. However, the House is now being asked to waive all points of order against this conference report so this violation of the House rules and common sense can go forward.

Well, I beg my colleagues not to permit this to happen, but to allow the normal rules to apply to consideration of the Kennedy amendment so that we can debate this most serious matter separately from the appropriations bill. Thus I am asking my colleagues to vote "no" on the previous question. If the previous question is defeated, I will offer an amendment to the rule which will permit a separate vote on the Kennedy amendment.

Whatever the good intentions of the gentleman from California [Mr. BERMAN], and others, the gentleman from Massachusetts [Mr. KENNEDY], this bill, I believe, and the experts with whom I have conferred also believe, and common sense tells us; a common sense reading, as well as the experts; believe that this bill will be used by illegal aliens and their lawyers to legally stay in our country while their case is pending. They may apply. Thus their case is pending. Lawyers around this country will use this to increase the time and money that it costs us for illegal aliens to stay in this country.

Mr. Speaker, this is another loophole even bigger than the political asylum loophole. It will cost us hundreds of millions, even billions, of dollars to open this legal loophole so any illegal aliens can cross our border and have a legal avenue to stay in our country and receive benefits, Federal benefits, in the meantime. This, as I say, is a political asylum loophole. Why are we doing it?

Vote "no" on this rule. A no vote on the previous question will permit us to have a separate vote on the issue. Those that vote "no" will be responsible. Those who vote "yes," and, if this does come to where illegal aliens are using this and their lawyers are using this as a loophole, costing the taxpayers billions of dollars like political asylum, the voters will hold those Members in Congress responsible who have done this to the American people.

Mr. BEILENSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. BERMAN].

Mr. BERMAN. Mr. Speaker, I thank the gentleman from California [Mr.

BEILENSEN] for yielding this time to me, and I just want to initially state that I think this is a very important bill. My sincerest congratulations go out to both the chairman of the subcommittee and the ranking member for putting together a very important bill, a bill of particular importance to people who want to do something about the problem of illegal immigration because, as has been mentioned, there is significant new funds for border patrol, for tougher enforcement of immigration laws, and, for the first time, for the reimbursement for the incarceration of illegal criminal aliens.

My friend, the gentleman from California [Mr. ROHRBACHER] has made what I know to be a sincere point about his concern about a specific provision in this bill, this provision which was sponsored initially on the State Department authorization bill by Senators ALAN SIMPSON and KENNEDY and was actively supported in this conference by Senators SIMPSON and KENNEDY, as well as Senators BYRD and HOLLINGS and DOMENICI and has been reviewed by the appropriations members, both majority and ranking, does not do anything close to what the gentleman from California [Mr. ROHRBACHER] has suggested that it does.

Mr. Speaker, what this amendment is about is, where legally qualified immigrants, immigrants who are entitled to come to this country and to have their status adjusted because either through an employer petition or a family petition, and they have gone through the entire process, and for the process, the very final part of that process, which is the filing of the application and the receiving of the visa papers, the immigration papers, this is about where those people can get their legal immigrant visa. It has nothing to do with whether they get them; it has nothing to do with their eligibility for getting them. It does not create a new immigrant eligibility category or an amnesty window as the gentleman from California [Mr. ROHRBACHER] has referred to in the past. It will not give anyone an immigrant visa who will not get one anyway. It will not increase the total number of immigrants. It does provide, however, substantial, and I am talking about \$50 million for new funding for the INS to enforce the borders, to enforce the immigration laws, and it helps, in addition, to fight illegal immigration by freeing State Department consular staff from the useless paperwork that is now a routinized process for granting the visa after the entire process has been completed. It frees them to do the important work of fighting visa fraud and checking out applications for people who seek to enter this country to determine whether their purposes are appropriate and whether they qualify for any of the nonimmigrant visas that these people are supposed to handle.

To suggest that I would support a provision which would say, for \$800 somebody who would not otherwise qualify to come to this country legally, can now get immigrant status is an insult to my intelligence, but that has been insulted many times in the past. To suggest that Senators ALAN SIMPSON, or PETER DOMENICI, or the gentleman from Kentucky, Mr. ROGERS, or any of the other people who have looked at this provision would support such an interpretation is a tremendous leap into fantasy.

I want to give my colleagues one specific example of what this bill is about. This was told to me by a friend, a former Foreign Service officer, worked in the consular office in Guyana. One airline flies to Guyana. When Guyanese who want to come to the United States as illegal immigrants, have been petitioned for, have gone through the entire process, are in the United States, they take that one airline, fly to Guyana. It gets into Guyana that evening. The next morning they go to the American embassy, pick up their visa, their legal immigration papers, and take that afternoon flight back to the United States. This happens over and over again. Ninety-nine percent of these visas are routinely approved. What we are doing with this present ineffective and inefficient system is subsidizing primarily foreign airlines.

So what people like Senator SIMPSON thought was that it made sense instead to raise the fees fivefold, provide a meaningful source of revenue for the INS to fight the illegal immigration, cut out the fiction that something is happening by this ridiculous process, and free up the embassy officials, the consular officials in our foreign posts, to check on whether or not somebody who is claiming to come here on a tourist visa and intends to return, on whether or not they have any kind of criminal background, on all the kinds of things that we do, our consular officials, to be watching for, to protect, American interests.

□ 1140

It is as simple as that. I appreciate the gentleman's misreading one provision in the bill to assume that it allows something that it does not allow or that something might happen that will not happen. This is a revenue producer, and this is an intelligent rationalization of our limited resources. It is supported on a broad bipartisan basis, and I do not think it should be the basis for anyone voting against the previous question.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Kansas [Mrs. MEYERS].

Mrs. MEYERS of Kansas. Mr. Speaker, I rise in opposition to the rule. In particular, I am opposed to the over \$27 million in pork-barrel spending appearing under the Small Business Adminis-

tration budget. What do I mean by pork barrel? I mean totally unauthorized spending.

Mr. Speaker, this represents over 10 percent of the total Small Business Administration budget for fiscal year 1995, and this amount doesn't even include the totally unauthorized spending for the Tree Program. The Tree Program represents another \$15 million in totally unauthorized spending that no one even saw fit to mention at the many hearings and the markup of the Small Business Reauthorization Act.

This is particularly outrageous when you consider that we just had to authorize emergency spending to keep the SBA from running out of money. Why is the SBA out of money? Because over 17 percent of the spending in its budget is pork and unauthorized programs.

Mr. Speaker, I oppose this rule and I oppose this misuse of the taxpayer's money.

Mr. BEILENSEN. Mr. Speaker, for the purpose of debate only, I yield 2 minutes to the distinguished gentleman from Wisconsin [Mr. OBEY], chairman of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, I do not want to take very much time. I simply want to take this opportunity to express my admiration for the work that has been done by the new subcommittee chairman, the gentleman from West Virginia [Mr. MOLLOHAN], and the great cooperation he has received from the gentleman from Kentucky [Mr. ROGERS], the ranking Republican.

As the Members in this House understand, the gentleman from West Virginia [Mr. MOLLOHAN] took over this chairmanship in midstream. He has demonstrated, I believe, an amazingly quick ability to master the contents of this bill. I know he has had an awful lot of help from the gentleman from Iowa [Mr. SMITH], who so ably chaired this subcommittee for years, and I know he has had a great deal of help from the gentleman from Kentucky [Mr. ROGERS]. Despite the fact that we have had some serious and strong differences of opinion on several occasions, those differences of opinion have been worked out in an extremely honorable and gentlemanly manner with the gentleman from Kentucky [Mr. ROGERS].

I just want to say that I think this overall product is very defensible, and I simply want to congratulate the subcommittee for being able to produce this bill and finish its work so quickly, especially under the circumstances, with a new chair at the helm. I simply want to congratulate both gentlemen and indicate my happiness with the way in which the bill has been handled.

Mr. MOLLOHAN. Mr. Speaker, will the gentleman yield?

Mr. OBEY. Surely, I yield to the gentleman from West Virginia.



Mr. MOLLOHAN. Mr. Speaker, I would just like to take this opportunity to thank the chairman of the committee, who also has assumed his responsibilities this year in midstream. I thank him for his help and his cooperation, and I also thank him very much for his kind remarks. I would like to reciprocate and tell the Members what a fine job he has done and express my appreciation for the guidance he has given both the gentleman from Kentucky [Mr. ROSS], and me as we have processed this legislation through the subcommittee.

Mr. OBEY. Mr. Chairman, I think that with all the turmoil surrounding the crime legislation, we have had a remarkable display of leadership from the gentleman and from the ranking Republican as well.

Mr. GOSS. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I believe the gentleman from Kentucky and the gentleman from West Virginia have done a very fine job with this bill, given very difficult budgetary circumstances. They have prioritized spending to provide funds for the most vital programs.

One of these priority programs is surrogate radio broadcasting to the nations of Asia—Radio Free Asia. Last week, the House adopted the Pelosi bill as amended by Mr. HAMILTON, outlining a framework for promoting human rights and democracy in China. One of the primary elements of the Hamilton amendment was enhanced radio broadcasting to China through VOA and Radio Free Asia. In addition, the President has repeatedly highlighted Radio Free Asia as a cornerstone of his policy toward China and, as you know, the House adopted by an overwhelming margin a floor amendment to the Commerce, Justice, State bill making funds available for Radio Free Asia. Clearly, Radio Free Asia is an idea whose time has come.

This conference report contains \$10 million for startup costs for Radio Free Asia and an additional \$85 million for short wave radio construction in the Pacific to benefit Radio Free Asia and VOA. The funds are dependent on a report from the Broadcast Board of Governors regarding feasibility, and we will watch carefully what the Board decides. I just want to take a minute to tell Members why this small investment in surrogate broadcasting is so important.

Tyrants use access to information as a tool to keep their hold on power. during the cold war, this practice was used in Eastern Europe by the Soviet-backed Governments there to try to keep their people in the dark about the free world. The United States responded with Radio Free Europe and

Radio Liberty. These broadcasts ultimately proved to be instrumental in keeping the people's spirits alive and weakening communism.

Similarly, the North Koreans have practically no access to outside information. The people of North Korea, including right up to the highest levels of the military and government, have no idea what is really happening regarding their country's nuclear program and its standoff with the rest of the world or regarding North Korea's failed economy compared to other nations. They do not know about the economic and political transformations in South Korea. They are kept by their Government from being members of the world community.

Although some Chinese can receive transmissions from Hong Kong or Taiwan, the vast majority have access only to Government-controlled sources of information. They must have access to news that is relevant to them—surrogate broadcasting.

Democracy activists, and potential activists, must know that there are others out there who share their aspirations. VOA is an important voice telling the world about our country and what we believe in. VOA may have a few minutes of China-related news a week. In China, Radio Free Asia would cover solely issues of interest and relevance to Chinese, from Chinese to Chinese, not from Americans to Chinese.

Radio Free Asia will tell the people of North Korea, China, Burma, Vietnam, and Laos exactly what their Governments do not want them to know. Once the silence is broken, the people in these countries, I believe, will be on a path toward democracy, free markets, and greater freedom.

Mr. Speaker, I think the Commission on Broadcasting to the People's Republic of China said it best when they wrote, "The fate of America is intertwined with the fate of American ideals." For individuals around the world, knowledge is freedom. The 1.3 billion people in the countries served by Radio Free Asia have no freedom. I support this investment in freedom, and I urge Members to vote for this conference report.

□ 1150

Mr. BEILENSEN. Mr. Speaker, for purposes of debate only, I yield 2 minutes to the gentleman from Georgia [Mr. DARDEN].

Mr. DARDEN. Mr. Speaker, I thank the distinguished gentleman from California for yielding me this time.

Mr. Speaker, I rise today in strong support of this rule. For the people of my State of Georgia, the passage of this rule and subsequently the conference report is critical if they are to be allowed to pick up the pieces of their lives, move forward, and once again become productive in the aftermath of the recent floods.

Many of us represent areas that have experienced disasters. It is one thing to see the results of these disasters on a television screen. It is an entirely different experience to meet with the people affected, talk with them, and understand their hardships.

This bill is just the first of several that we will consider which addresses this crisis. But in some ways it is the most important. To begin with, it is time-critical. The Small Business Administration has already depleted all their disaster relief payments. Quick passage of this bill will let the SBA continue to help small businesses recover and give the people of Georgia, Alabama, and Florida an opportunity to once again become productive within the work force.

Finally, this bill is also important because it will set the tone for our assistance. This is not the time to bicker over methods and procedures. It is time to help our citizens who have been touched by misfortune. I ask for your support and the people of the Southeast ask for your help. I urge overwhelming support and passage of the rule.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from California [Mr. DREIER], my colleague on the Committee on Rules.

Mr. DREIER. Mr. Speaker, I thank my friend from Sanibel for yielding.

Mr. ROGERS. Mr. Speaker will the gentleman yield?

Mr. DREIER. I yield to the gentleman from Kentucky, the distinguished ranking member of the subcommittee.

Mr. ROGERS. Mr. Speaker, I just wanted to take a few seconds here to compliment the gentleman from Illinois [Mr. PORTER], who most recently spoke, for his dedication and persistence in pushing for the moneys for Radio Free Asia. This is a very historic moment I think in the history of the USIA and the broadcasting sponsored by this Government, because this is the first moneys that will be going into broadcasting on Radio Free Asia.

We all know what has happened with the tremendous success of Radio Liberty and Radio Europe and the Voice of America. But now we enter a new era, and it is thanks in no small measure to the work of the gentleman from Illinois, who pushed and cajoled and worked ceaselessly to get this program off the ground. I wanted to thank the gentleman from Illinois [Mr. PORTER] for his work, and thank the gentleman for yielding.

Mr. DREIER. Mr. Speaker, yesterday the chairman of the Rules Committee half-jokingly referred to those of us who insist on abiding by House rules as a "vigilante committee."

It is a clear indication of just how far we have strayed from normal parliamentary procedure when the chairman of the Rules Committee, of all

committees, ridicules those who believe in upholding the rules of this House—as if we are some kind of a lawless mob intent on violence and vengeance against this body. What have we come to?

Mr. Speaker, last week, when we were debating the crime rule in the Rules Committee, the majority cited to us how many times we have waived all points of order against conference reports in recent times, as if the number of repeat offenses against the standing rules makes it right.

Today we have another rule that waives all points of order against a conference report—your standard, boiler-plate rule for such conference reports, we are led to believe and accept.

I wonder how many Members even know that conference reports do not require special rules—that they are privileged for House floor consideration so long as they are in compliance with the rules?

They only need special rules when they are in violation of House rules. And this conference report apparently is in violation of every important rule that applies to conference reports.

It has not been available to Members for 3 days and therefore violates clause 2 of rule 28. It only became available yesterday. We could take this up tomorrow and it would not need a waiver of the 3-day availability rule.

It contains numerous legislative and unauthorized Senate amendments in violation of clause 2 of rule 20. We were given a list of six such examples, but I understand this is incomplete. There are probably closer to two dozen, but we have not been given an accurate count.

The chairman of the Appropriations Subcommittee who testified before us indicated he did not have such a list.

This conference report contains an unspecified number of provisions that are beyond the scope of anything committed to conference by either body, in violation of clause 3 of rule 28. This is the most serious offense against the House—writing new legislation in conference.

Ordinarily, the Appropriations Committee reports Senate amendments which are legislative in nature or beyond scope as amendments in disagreement to be dealt with separately by motions after the conference report has been agreed to.

In this way, we do not risk defeating the conference report and we can separately examine and vote on those Senate provisions which violate our rules. That applies as well to Senate provisions that are nongermane to the House passed bill.

Under clause 4 of rule 28, if such nongermane Senate provisions are in the conference report, and a point of order is sustained, a motion to reject the provision is debatable for 40 minutes and then voted on. Since the rejection

of a nongermane provision defeats the conference report, these are usually reported outside the conference report as amendments in disagreement. In that way, they can be dealt with without defeating the conference report.

Mr. Speaker, I have taken the time to recite these rules since they are not specifically waived in this rule. Instead, we have a so-called blanket waiver that literally covers, or cover up, a variety of sins of which we have not been made fully aware, either by the Rules Committee majority or the committee bringing a conference report.

Last year, in January, when this House adopted its rules, a new rule was adopted allowing an authorizing chairman, and we have one of them sitting right here on the House floor, to have a preferential motion to disagree to any Senate amendment of a legislative nature that is reported in disagreement on an appropriations bill.

That was presumably done to protect the prerogatives of authorizing committees against Senate authorizing language in an appropriations bill. But, when such provisions are included in the conference report and protected against points of order, and has been done today in some two dozen instances, the authorizing committees have no recourse or protection. They must swallow the violations whole or reject the conference report.

Mr. Speaker, this is a wakeup call for authorizing chairmen out there as well as for all House Members. This is not just minority moaning, and it is certainly not vigilantism. These rules were designed to protect all of us, regardless of party, against the abuses being perpetrated by the other body.

You have a right to know what those violations are and to deal separately with them. That right is being denied by rules such as this.

I say this is not in criticism of our conferees who had a very difficult task in dealing with some 162 Senate amendments. This may well be a very good conference report and the best that they could get.

But that does not recuse them from bringing this up in the normal manner of reporting egregious violations as amendments in disagreement and letting the House deal with each separately.

Mr. Speaker, I realize that this conference report is time sensitive due to the expiration on Wednesday of this week of the SBA Disaster Assistance Loan Program. But I do not think waiting 1 more day so that Members do have the opportunity to review this within the 3 days required by our rules would do great violence to that program or the rest of this report.

Nor do I think the conference report would suffer any setbacks if we had taken up the various Senate provisions that violate our rules as amendments in disagreement.

Let us get back to upholding our rules for the sake of more rational, deliberative, and informed decisionmaking around here.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California [Mr. ROHRBACHER].

□ 1200

Mr. ROHRBACHER. Mr. Speaker, I would like to remind my colleagues that this vote and the vote that I will call on the previous question, a yes vote on the previous question will be interpreted by the organizations that are fighting illegal immigration as a proillegal immigration vote.

Let me note, I have the bill in front of me here. It states that those people who can apply for the process, thus get into the process, they may apply, including those people who have entered the United States without inspection.

This will be interpreted by lawyers throughout the United States as just another loophole, as we have seen through the asylum cases. It will cost us hundreds of millions of dollars. If that happens, the people who have voted yes on the previous question will be responsible, because they will be denying me a right to bring this up and have a separate vote on this very important issue.

Let us note the procedures have not been properly seen to on this whole debate. The fact is, there were never any hearings in the Committee on the Judiciary on this.

This is a bad procedure. It is a bad law. Vote "no" on the previous question.

Mr. GOSS. Mr. Speaker, I yield myself the balance of my time.

I want to say that we have already seen what happens. We have had a couple of authorizers come to the well and say that they have been a little surprised.

The gentlewoman from Kansas [Mrs. MEYERS], our ranking member on the Committee on Small Business, has said that she is outraged that what has been put in this bill that she did not know about.

That is the problem that my colleague, the gentleman from California [Mr. DREIER], has spoken about, legislating outside of the legislative rules of the House in the conference committee. That causes surprises, and I am looking here at the CONGRESSIONAL RECORD. It has pages of projects with lots of money involved. If I started reading these, I am sure that a lot of Members would be surprised about what is in here, and I am sure a lot of Americans would be asking questions about what exactly are we doing.

I think that perhaps the conferees can answer those questions, and the appropriations can answer those questions. But when we do it this way, we do not know what we are waiving. That is the mistake.



I want to thank the gentleman from California [Mr. BEILENSEN], my friend, for trying to share with us as complete information as he had on this, but even with those extra efforts made by the gentleman from California [Mr. BEILENSEN], we still have not come to a good solution on this.

I think that there is a problem brewing. I think we know about it. We can fix it. I hope we will fix it in the Committee on Rules.

Mr. BEILENSEN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, in concluding, let me say that it is my belief, and the belief, I think, of the majority of Members who have listened to this debate, both here today and on the floor of the House and also yesterday for some period of time in the Committee on Rules that the understanding of our colleague, the gentleman from California [Mr. ROHRBACHER], on the bill is totally and utterly incorrect.

I refer again to the thoughtful comments of our colleague and friend, the gentleman from California [Mr. BERMAN], who just several minutes ago spent some time explaining why in fact that is the case.

Mr. Speaker, in concluding, let me also remind our colleagues that the waivers granted by this rule protect agencies without authorization, which I believe the great majority of us strongly and fully support, and for several general provisions, most of which have been carried for years in previous bills, also protected as they have to be this year.

Mr. Speaker, I urge our colleagues to support this rule so that we may proceed to consideration of the conference report.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ROHRBACHER. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Pursuant to the provisions of clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of adoption of the resolution. This is a 15-minute vote that may be followed by a 5-minute vote.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 241, nays 172, not voting 21, as follows:

[Roll No. 406]

## YEAS—241

Abercrombie	Glickman	Obey
Ackerman	Gonzalez	Oliver
Andrews (ME)	Gordon	Ortiz
Andrews (NJ)	Green	Orton
Andrews (TX)	Gutierrez	Pallone
Applegate	Hall (OH)	Parker
Bacchus (FL)	Hall (TX)	Pastor
Baessler	Hamburg	Payne (NJ)
Barca	Hamilton	Payne (VA)
Barcla	Harman	Pelosi
Barlow	Hastings	Penny
Barrett (WI)	Hefner	Peterson (FL)
Bellenson	Hilliard	Peterson (MN)
Berman	Hinchey	Pickle
Bevill	Hoagland	Pomeroy
Bilbray	Hochbrueckner	Poshard
Bishop	Holden	Price (NC)
Blackwell	Hoyer	Rahall
Bonior	Hughes	Reed
Borski	Inslee	Regula
Boucher	Jefferson	Richardson
Brewster	Johnson (GA)	Roemer
Brooks	Johnson (SD)	Rogers
Browder	Johnson, E. B.	Rostenkowski
Brown (CA)	Johnston	Rowland
Brown (FL)	Kanjorski	Roybal-Allard
Brown (OH)	Kaptur	Rush
Bryant	Kennedy	Sabo
Byrne	Kennelly	Sanders
Callahan	Kildee	Sangmeister
Cantwell	Klecza	Sawyer
Cardin	Kolbe	Schenck
Carr	Kopetski	Schroeder
Chapman	Kreidler	Schumer
Clay	LaFalce	Scott
Clayton	Lambert	Serrano
Clyburn	Lancaster	Sharp
Coleman	LaRocco	Shepherd
Collins (GA)	Laughlin	Sisk
Collins (IL)	Lehman	Skaags
Collins (MI)	Levin	Skelton
Condit	Lewis (GA)	Slaughter
Conyers	Lipinski	Smith (IA)
Coppersmith	Livingston	Spratt
Costello	Lloyd	Stark
Coyne	Long	Stokes
Cramer	Lowey	Strickland
Danner	Maloney	Studds
Darden	Mann	Stupak
de la Garza	Manton	Sweet
DeFazio	Margolies	Swift
DeLauro	Mezvinsky	Synar
Dellums	Markey	Tanner
Derrick	Martinez	Tauzin
Deutsch	Matsui	Tejeda
Dicks	Mazzoli	Thompson
Dingell	McCloskey	Thornton
Dixon	McDermott	Torres
Dooley	McHale	Torricelli
Durbin	McKinney	Towns
Edwards (CA)	McNulty	Trafcant
Edwards (TX)	Meehan	Tucker
Engel	Meek	Unsoeld
English	Menendez	Valentine
Eshoo	Mfume	Velazquez
Evans	Miller (CA)	Vento
Everett	Mineta	Visclosky
Farr	Minge	Volkmer
Fazio	Mink	Waters
Fields (LA)	Moakley	Watt
Filner	Mollohan	Waxman
Fingerhut	Montgomery	Wheat
Foglietta	Moran	Whitten
Ford (MI)	Morella	Williams
Frank (MA)	Murphy	Wilson
Frost	Murtha	Wise
Furse	Myers	Woolsey
Gedensson	Nadler	Wyden
Gephardt	Neal (MA)	Wynn
Geren	Neal (NC)	Yates
Gibbons	Oberstar	

## NAYS—172

Allard	Barton	Bonilla
Archer	Bateman	Bunning
Armey	Bentley	Burton
Bachus (AL)	Bereuter	Buyer
Baker (CA)	Blirakis	Calvert
Baker (LA)	Bliley	Camp
Ballenger	Blute	Canady
Barrett (NE)	Boehlert	Castle
Bartlett	Boehner	Clinger

Coble	Hunter	Portman
Combest	Hutchinson	Pryce (OH)
Cox	Hutto	Quillen
Crane	Hyde	Quinn
Crapo	Inglis	Ramstad
Cunningham	Inhofe	Ravenel
Deal	Istook	Ridge
DeLay	Jacobs	Roberts
Diaz-Balart	Johnson (CT)	Rohrabacher
Dickey	Johnson, Sam	Ros-Lehtinen
Doolittle	Kasich	Roth
Dornan	Kim	Roukema
Dreier	King	Royce
Duncan	Kingston	Santorum
Dunn	Klug	Sarpallus
Ehlers	Knollenberg	Saxton
Emerson	Kyl	Schaefer
Ewing	Lazio	Schiff
Fawell	Leach	Sensenbrenner
Fields (TX)	Levy	Shaw
Fish	Lewis (CA)	Shays
Fowler	Lewis (FL)	Shuster
Franks (CT)	Lewis (KY)	Smith (NJ)
Franks (NJ)	Lightfoot	Smith (OR)
Gallely	Linder	Smith (TX)
Gekas	Lucas	Snowe
Gilchrist	Machtley	Solomon
Gillmor	Manzullo	Spence
Gilman	McCandless	Stearns
Gingrich	McCollum	Stenholm
Goodlatte	McCurdy	Stump
Goodling	McCurdy	Talent
Goss	McHugh	Taylor (MS)
Grams	McInnis	Taylor (NC)
Grandy	McKeon	Thomas (CA)
Greenwood	McMillan	Thomas (WY)
Gunderson	Meyers	Thurman
Hancock	Mica	Upton
Hansen	Michel	Vucanovich
Hastert	Miller (FL)	Walker
Hayes	Mollinari	Walsh
Hefley	Moorhead	Weldon
Herger	Nussle	Wolf
Hobson	Oxley	Young (AK)
Hoekstra	Packard	Young (FL)
Hoke	Paxon	Zeliff
Horn	Petri	Zimmer
Houghton	Pombo	
Huffington	Porter	

## NOT VOTING—21

Becerra	Klink	Rose
Clement	Lantos	Skeen
Cooper	McDade	Slattery
Flake	Owens	Smith (MI)
Ford (TN)	Pickett	Sundquist
Gallo	Rangel	Torkildsen
Klein	Reynolds	Washington

□ 1223

Messrs. JACOBS, BUYER, HAYES, STENHOLM, and MCCURDY changed their vote from "yea" to "nay."

Messrs. CONDIT, RUSH, EVERETT, and INSLEE changed their vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DREIER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 235, nays 175, not voting 24, as follows:

[Roll No. 407]

## YEAS—235

Abercrombie	Andrews (ME)	Andrews (TX)
Ackerman	Andrews (NJ)	Applegate

Bacchus (FL)	Hall (OH)	Oliver
Baessler	Hall (TX)	Ortiz
Barca	Hamburg	Orton
Barcia	Hamilton	Pallone
Barlow	Harman	Parker
Barrett (WI)	Hastings	Pastor
Bellenson	Hefner	Payne (NJ)
Berman	Hilliard	Payne (VA)
Bevill	Hinchey	Pelosi
Bilbray	Hoagland	Penny
Bishop	Hochbrueckner	Peterson (FL)
Blackwell	Holden	Peterson (MN)
Bonior	Hoyer	Pickle
Borski	Hughes	Pomeroy
Boucher	Inslee	Poshard
Brewster	Jacobs	Price (NC)
Brooks	Jefferson	Rahall
Browder	Johnson (GA)	Rangel
Brown (FL)	Johnson (SD)	Reed
Brown (OH)	Johnson, E. B.	Richardson
Bryant	Johnston	Roemer
Byrne	Kanjorski	Rogers
Cantwell	Kaptur	Rostenkowski
Cardin	Kennedy	Rowland
Carr	Kennelly	Roybal-Allard
Chapman	Kildee	Rush
Clay	Klecza	Sabo
Clayton	Klink	Sanders
Clinger	Kolbe	Sangmeister
Clyburn	Kopetski	Sawyer
Coleman	Kreidler	Schenk
Collins (IL)	LaFalce	Schroeder
Collins (MI)	Lambert	Schumer
Condit	Lancaster	Scott
Conyers	LaRocco	Serrano
Coppersmith	Laughlin	Sharp
Costello	Lehman	Shepherd
Coyne	Levin	Sisisky
Cramer	Lewis (GA)	Skaggs
Danner	Lipinski	Slaughter
Darden	Lloyd	Smith (IA)
de la Garza	Long	Spratt
Deal	Maloney	Stark
DeFazio	Mann	Stokes
DeLauro	Manton	Strickland
Dellums	Margolies-	Studds
Derrick	Mezvisky	Stupak
Dicks	Markley	Sweet
Dingell	Martinez	Swift
Dixon	Matsui	Synar
Dooley	Mazzoli	Tanner
Durbin	McCloskey	Tejeda
Edwards (CA)	McDermott	Thompson
Edwards (TX)	McHale	Thornton
Engel	McKinney	Torres
English	McNulty	Torricelli
Eshoo	Meehan	Towns
Evans	Meek	Trafiacant
Farr	Menendez	Tucker
Fazio	Mfume	Unsoeld
Fields (LA)	Miller (CA)	Velazquez
Filner	Mineta	Vento
Fingerhut	Minge	Visclosky
Fish	Mink	Volkmer
Foglietta	Moakley	Waters
Ford (MI)	Mollohan	Watt
Frank (MA)	Montgomery	Waxman
Frost	Moran	Wheat
Gejdenson	Morella	Whitten
Gephardt	Murphy	Williams
Geren	Murtha	Wilson
Gibbons	Myers	Wise
Glickman	Nadler	Woolsey
Gonzalez	Neal (MA)	Wyden
Gordon	Neal (NC)	Wynn
Green	Oberstar	Yates
Gutierrez	Obey	

## NAYS—175

Allard	Boehlert	Crane
Archer	Boehner	Crapo
Armey	Bonilla	Cunningham
Bacchus (AL)	Brown (CA)	DeLay
Baker (CA)	Bunning	Diaz-Balart
Baker (LA)	Burton	Dickey
Ballenger	Buyer	Doolittle
Barrett (NE)	Callahan	Dornan
Bartlett	Calvert	Dreier
Barton	Camp	Duncan
Bateman	Canady	Dunn
Bentley	Castle	Ehlers
Bereuter	Coble	Emerson
Bilirakis	Collins (GA)	Everett
Bliley	Combest	Ewing
Blute	Cox	Fawell

Fields (TX)	Kyl	Ros-Lehtinen
Fowler	Lazio	Roth
Franks (CT)	Leach	Roukema
Franks (NJ)	Levy	Royce
Galleghy	Lewis (CA)	Santorum
Gallo	Lewis (FL)	Sarpallus
Gekas	Lewis (KY)	Saxton
Gilchrest	Lightfoot	Schaefer
Gillmor	Linder	Schiff
Gilman	Lucas	Sensenbrenner
Gingrich	Machtley	Shaw
Goodlatte	Manzullo	Shays
Goodling	McCandless	Shuster
Goss	McCollum	Skeen
Grandy	McCrery	Skelton
Greenwood	McCurdy	Smith (NJ)
Gunderson	McHugh	Smith (OR)
Hancock	McInnis	Smith (TX)
Hansen	McKeon	Snowe
Hastert	McMillan	Solomon
Hayes	Meyers	Spence
Hefley	Mica	Stearns
Herger	Michel	Stenholm
Hobson	Miller (FL)	Stump
Hoekstra	Mollinari	Talent
Hoke	Moorhead	Tauzin
Horn	Nussle	Taylor (MS)
Houghton	Oxley	Taylor (NC)
Huffington	Packard	Thomas (CA)
Hunter	Paxon	Thurman
Hutchinson	Petri	Torkildsen
Hutto	Pombo	Upton
Hyde	Porter	Vucanovich
Inglis	Portman	Walker
Inhofe	Pryce (OH)	Walsh
Istook	Quillen	Weldon
Johnson, Sam	Quinn	Wolf
Kasich	Ramstad	Young (AK)
Kim	Ravenel	Young (FL)
King	Regula	Zeliff
Kingston	Ridge	Zimmer
Klug	Roberts	
Knollenberg	Rohrabacher	

## NOT VOTING—24

Becerra	Johnson (CT)	Reynolds
Clement	Klein	Rose
Cooper	Lantos	Slattery
Deutsch	Livingston	Smith (MI)
Flake	Lowey	Sundquist
Ford (TN)	McDade	Thomas (WY)
Furse	Owens	Valentine
Grams	Pickett	Washington

□ 1233

So the resolution was agreed to.  
The result of the vote was announced as above recorded.  
A motion to reconsider was laid on the table.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment, a bill of the House of the following title:

H.R. 4790. An act to designate the United States courthouse under construction in St. Louis, Missouri, as the "Thomas F. Eagleton United States Courthouse."

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2073. An act to designate the United States courthouse that is scheduled to be constructed in Concord, New Hampshire, as the "Warren B. Rudman United States Courthouse", and for other purposes.

## PERSONAL EXPLANATION

Mr. SMITH of Michigan. Mr. Speaker, I request that the record show that I was absent for rollcall votes number 406 and number 407

for medical reasons. Had I been here I would have voted "no" on the previous question and "no" on the rule.

## MODIFICATIONS IN APPOINTMENT OF CONFEREES ON S. 1587, FEDERAL IMPROVEMENT ACT OF 1994 ACQUISITION

The SPEAKER pro tempore (Mr. FIELDS of Louisiana. Without objection, under the authority granted in clause 6 of rule X, the Speaker hereby modifies the appointment of conferees on the Senate bill (S. 1587) to revise and to realine the acquisition laws of the Federal Government, and for other purposes, as follows:

As additional conferees from the Committee on Energy and Commerce, for consideration of sections 4024(g), 6003(a)(4) and (b)(4), and 8005(c)(6) of the Senate bill, and modifications committed to conference: Messrs. DINGELL, SWIFT, and MOORHEAD.

There was no objection.

The SPEAKER pro tempore. The Clerk will notify the Senate of the change in conferees.

## COMMUNICATION FROM THE HONORABLE PAUL MCHALE, MEMBER OF CONGRESS

The SPEAKER pro tempore. Laid before the House the following communication from the Honorable PAUL MCHALE, Member of Congress:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, August 17, 1994.

Hon. THOMAS S. FOLEY,  
Speaker of the House of Representatives,  
The Capitol, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule L (50) of the Rules of the House, that my office has been served with a subpoena issued by the Commonwealth of Pennsylvania, County of Lehigh.

After consultation with the General Counsel to the House, I have determined that compliance with the subpoena is not inconsistent with the privileges and precedents of the House.

Sincerely,

PAUL MCHALE.

## CONFERENCE REPORT ON H.R. 4603, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1995, AND FISCAL YEAR 1994 SUPPLEMENTAL APPROPRIATIONS

Mr. MOLLOHAN. Mr. Speaker, I call up the conference report on the bill (H.R. 4603) making appropriations for the Department of Commerce, Justice, and State, the Judiciary, and related agencies programs for the fiscal year ending September 30, 1995, and making supplemental appropriations for these departments and agencies for the fiscal year ending September 30, 1994, and for other purposes.



The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 523, the conference report is considered as having been read.

(For conference report and statement see Proceedings of the House of August 16, 1994, at page 22576.)

The SPEAKER pro tempore. The gentleman from West Virginia [Mr. MOLLOHAN] will be recognized for 30 minutes, and the gentleman from Kentucky [Mr. ROGERS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia [Mr. MOLLOHAN].

#### GENERAL LEAVE

Mr. MOLLOHAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report now under consideration, and that I may include tabular and extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. MOLLOHAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to present this conference report to this body for its consideration today. Members should know that throughout the many months of hearings and markup and conference this has been, for the most part, a bipartisan effort. The distinguished ranking minority member, the gentleman from Kentucky [Mr. ROGERS], has been a partner in fashioning this legislation. He is especially capable. His constituents know that, obviously, returning him year after year, and his input has been incorporated throughout this legislation. Whether in supporting or opposing various provisions, his efforts have always been constructive.

Members know how important the funding provisions in this bill are to them and to their constituents. I think that Members will be pleased, especially pleased to go back home and tell their constituents that they are supporting significant increases in crime fighting, and crime fighting is the centerpiece of this appropriations legislation. And they will be pleased to tell their constituents that they are supporting emergency funding relief to those who are suffering from the ravages of floods, fires, and the aftermath of earthquakes.

□ 1240

Mr. Speaker, the conference agreement provides a total of \$26,345,687,000 in discretionary new budget authority for the fiscal year 1995. This amount is \$851,071,000 below the President's request, and \$108 million below this committee's section 602(b) allocation for the bill.

The conference agreement includes the following supplemental appropri-

tions for the fiscal year 1994, and I would bring them to the Members' special attention, Mr. Speaker, because they are important. They address dire imminent needs facing those who have suffered the ravages of disasters recently. The conference agreement appropriates \$470 million in emergency supplemental appropriations for the Small Business Administration's disaster loans program account to aid the victims of the flooding in Georgia, Florida, and Alabama. These funds go to provide the remaining requirement for the victims of the Los Angeles earthquake, and also, Mr. Speaker, go to aid the victims of the wildfires in several of our western States that are now burning.

In addition, the supplemental includes \$55 million in emergency appropriations for the Economic Development Administration to provide emergency assistance for the disasters that I just mentioned. Also, in the supplemental, Mr. Speaker, there is \$670 million for the United States' assessed contributions for international peacekeeping operations.

Mr. Speaker, in regard to these emergencies, the body should understand that the Small Business Administration has advised our committee that, as of this week, the SBA has no more disaster loan funds available. Therefore, Mr. Speaker, it is absolutely critical that the House and the Senate approve this conference report this week and send it to the President so that the disaster funds that I just mentioned will be provided to those victims of the floods in Georgia, Florida, and Alabama and the Los Angeles earthquake and those wildfires in the western States.

Mr. Speaker, beyond the supplementals, I hope that the body agrees, and I know the gentleman from Kentucky [Mr. ROGERS] and I and members of the committee who have worked so hard believe that this is an excellent conference report.

With respect to the Department of Justice, the conference agreement provides \$12,304,550,000. That is an increase of \$162 million above the House-passed bill.

Mr. Speaker, that is a \$2.7 billion increase in crime-fighting money over the fiscal year 1994 funding. Now, this total includes \$2.2 billion for the FBI, and that is an increase of \$28 million above the amount we had in the House bill when it passed a few weeks ago.

This bill contains \$757 million for the Drug Enforcement Administration, and that is an increase of \$15 million above the House bill. It includes \$2.4 billion to operate the Federal Prison System and \$397 million for the Marshals' Service, and that is an increase of \$7 million above the House bill.

The conference agreement also includes \$2.345 billion to fund the Justice Department programs that would be

authorized to be appropriated out of the crime trust fund in the pending crime bill, and that includes, Mr. Speaker, \$1.3 billion for the President's community policing initiative. It includes \$284 million for the President's immigration initiatives, and that includes, Mr. Speaker, money for an additional 1,000 new Border Patrol agents on the line that are attempting to keep illegal aliens out of the country.

Mr. Speaker, we also have \$130 million to reimburse States for the incarceration of illegal aliens. When the bill came through the House, that was not a separate line item. We listened to the concerns of Members, particularly from those States that have the greatest illegal alien problem and have a large number of illegal criminal aliens that they are incarcerating.

This authorization was created, I believe, in the late 1980's. We are pleased, as a matter of fact, to be the first subcommittee to fund this, and out of conference, we are bringing it out as a separate line item in response to the interests, concerns, and expressions of a number of Members in the House and the Senate.

There is also \$100 million in this legislation to implement the Brady Act.

The conference agreement is also very responsive, Mr. Speaker, to the President's initiative to create jobs through the civilian technology and economic development initiatives in the Department of Commerce.

The conference agreement provides a total of \$4,218,138,000 for the Department, and that is an increase of \$188 million above the House.

For the Small Business Administration, the conference agreement provides a total of \$815 million.

The conference agreement provides a total of \$4,196,000,000 for the Department of State. That is an increase of \$15 million above the House amount.

And for the Federal Judiciary, Mr. Speaker, the conference agreement provides a total of \$2.9 billion, an increase of \$15 million above the House bill.

Mr. Speaker, in closing my initial remarks on the conference report, I am very pleased to give recognition to a fine group of staff who throughout this long process, throughout the hearings and the conferences and the floor appearances, have worked especially hard and very competently to make sure that we were prepared: To John Osthaus, who is the staff director, I express my appreciation, as well as to George Schafer, Sally Chadbourne, and Soo Jin Kwon, and to the minority staff, Mr. Speaker, who have been of tremendous help and worked just as hard, Liz Dawson and Jennifer Miller. I express my sincere appreciation for all of their hard work.

Mr. Speaker, I repeat, this is an excellent conference report, and I commend it to our colleagues.

of the appropriations accounts in the bill:



## COMMERCE-JUSTICE-STATE-JUDICIARY APPROPRIATIONS BILL, FY 1995 (H.R. 4603)

	FY 1994 Enacted	FY 1995 Estimate	House	Senate	Conference	Conference compared with enacted
<b>TITLE I - DEPARTMENT OF JUSTICE AND RELATED AGENCIES</b>						
<b>DEPARTMENT OF JUSTICE</b>						
<b>Office of Justice Programs</b>						
Justice Assistance.....	80,105,000	79,575,000	84,100,000	88,800,000	88,100,000	+7,965,000
State and local law enforcement:						
Discretionary grants.....	474,500,000	125,000,000	88,500,000	88,000,000	82,000,000	-412,500,000
Byrne formula grants (crime trust fund).....			804,280,000	428,000,000	450,000,000	+450,000,000
Total, State and local law enforcement.....	474,500,000	125,000,000	872,780,000	481,000,000	512,000,000	+37,500,000
Juvenile justice programs.....	115,000,000	180,000,000	157,750,000	153,750,000	155,250,000	+40,250,000
Crime trust fund:						
Upgrade criminal history records.....				100,000,000	100,000,000	+100,000,000
Community policing.....			1,332,000,000			
State Correctional Grants.....				175,000,000	24,500,000	+24,500,000
Drug Courts.....				100,000,000	28,000,000	+28,000,000
Violence Against Women Grants.....				88,000,000	28,000,000	+28,000,000
Community Schools Supervision Grants.....				37,000,000		
Ounce of Prevention Council.....				3,000,000	1,500,000	+1,500,000
State Criminal Alien Assistance Program.....		350,000,000			130,000,000	+130,000,000
(Transfer from international organizations and peacekeeping activities).....				(380,000,000)		
Other crime trust fund.....		403,000,000				
Public safety officers benefits program:						
Death benefits.....	28,836,000	27,845,000	27,845,000	27,845,000	27,845,000	-1,291,000
Disability benefits.....		2,072,000	2,072,000	2,072,000	2,072,000	+2,072,000
Total, Office of Justice Programs.....	708,541,000	1,147,292,000	2,486,347,000	1,272,087,000	1,108,087,000	+397,528,000
<b>General Administration</b>						
Salaries and expenses:						
Direct appropriation.....	118,000,000	121,287,000	119,804,000	121,287,000	120,185,000	+1,185,000
Executive Office of Immigration Review (crime trust fund).....		24,300,000	24,086,000	24,300,000	17,400,000	+17,400,000
Total, salaries and expenses.....	118,000,000	145,587,000	143,873,000	145,587,000	137,585,000	+18,585,000
Office of Inspector General.....	30,000,000	30,423,000	30,500,000	30,500,000	30,500,000	+500,000
Community policing (crime trust fund).....		1,720,000,000		1,300,000,000	1,300,000,000	+1,300,000,000
Weed and Seed Fund.....	13,150,000	13,458,000	13,150,000	13,458,000	13,458,000	+308,000
Total, general administration.....	182,150,000	1,908,448,000	187,823,000	1,488,523,000	1,481,541,000	+1,318,391,000
<b>United States Parole Commission</b>						
Salaries and expenses.....	8,123,000	8,951,000	7,451,000	7,451,000	7,451,000	-1,672,000
<b>Legal Activities</b>						
Salaries and expenses, general legal activities:						
Direct appropriation.....	403,988,000	430,751,000	411,786,000	428,884,000	417,202,000	+13,234,000
Civil division (crime trust fund).....		4,700,000	4,666,000	2,000,000	4,800,000	+4,800,000
Total, salaries and expenses.....	403,988,000	435,451,000	416,451,000	430,884,000	421,802,000	+17,834,000
Vaccine injury compensation trust fund.....	2,000,000	3,000,000	2,500,000	2,500,000	2,500,000	+500,000
Independent counsel (permanent, indefinite).....	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	
Civil liberties public education fund (permanent, definite).....	100,000,000					-100,000,000
Civil liberties public education fund.....		5,000,000	5,000,000	5,000,000	5,000,000	+5,000,000
Salaries and expenses, Antitrust Division:						
Budget authority.....	70,717,000	73,155,000	78,155,000	85,155,000	85,155,000	+14,438,000
Offsetting fee collections - carryover.....	-3,900,000		-3,500,000		-4,500,000	-800,000
Total, new budget authority.....	66,817,000	73,155,000	74,655,000	85,155,000	80,655,000	+13,838,000
Offsetting fee collections - current year.....	-20,820,000	-20,820,000	-20,820,000	-20,820,000	-25,000,000	-4,180,000
Extending law change - increased fees.....		-12,840,000	-14,840,000	-12,840,000	-14,840,000	-14,840,000
Direct appropriation.....	45,997,000	41,895,000	40,185,000	51,895,000	41,015,000	-4,982,000
Salaries and expenses, United States Attorneys:						
Direct appropriation.....	813,797,000	827,131,000	820,177,000	832,723,000	829,723,000	+15,628,000
Violent crime task force.....				25,000,000	15,000,000	+15,000,000
Immigration Initiative (crime trust fund).....		6,800,000	6,799,000		6,800,000	+6,800,000
Total, salaries and expenses.....	813,797,000	833,931,000	826,976,000	857,723,000	851,523,000	+37,726,000
United States Trustee System Fund.....	98,000,000	108,280,000	100,486,000	104,886,000	103,190,000	+4,190,000
Offsetting fee collections.....	-37,487,000	-40,587,000	-38,878,000	-40,587,000	-40,587,000	-3,110,000
Direct appropriation.....	61,513,000	65,863,000	61,593,000	64,292,000	62,563,000	+1,080,000
Salaries and expenses, Foreign Claims Settlement Commission.....	940,000	830,000	830,000	830,000	830,000	-110,000
Salaries and expenses, United States Marshals Service.....	339,808,000	364,705,000	380,185,000	403,055,000	398,847,000	+37,038,000

## COMMERCE-JUSTICE-STATE-JUDICIARY APPROPRIATIONS BILL, FY 1995 (H.R. 4603), continued

	FY 1994 Enacted	FY 1995 Estimate	House	Senate	Conference	Conference compared with enacted
Support of United States prisoners.....	312,884,000	309,916,000	298,485,000	296,216,000	296,216,000	-14,888,000
Fees and expenses of witnesses.....	103,022,000	78,000,000	78,000,000	78,000,000	78,000,000	-25,022,000
Salaries and expenses, Community Relations Service.....	28,108,000	20,379,000	20,379,000	20,379,000	20,379,000	-7,727,000
Assets forfeiture fund.....	55,000,000	55,000,000	55,000,000	55,000,000	55,000,000	
<b>Total, Legal activities.....</b>	<b>2,268,035,000</b>	<b>2,277,570,000</b>	<b>2,200,804,000</b>	<b>2,271,354,000</b>	<b>2,237,705,000</b>	<b>-31,330,000</b>
<b>Radiation Exposure Compensation</b>						
Administrative expenses.....	2,888,000	2,855,000	2,855,000	2,855,000	2,855,000	-13,000
<b>Interagency Law Enforcement</b>						
Organized crime drug enforcement.....	382,381,000	389,943,000	383,280,000	389,943,000	374,943,000	-7,438,000
<b>Federal Bureau of Investigation</b>						
Salaries and expenses.....	1,974,305,000	2,048,897,000	2,083,818,000	2,146,111,000	2,122,471,000	+148,186,000
FBI Fingerprint Identification.....	84,400,000	84,400,000	84,400,000	84,400,000	84,400,000	
<b>Total, Federal Bureau of Investigation.....</b>	<b>2,058,705,000</b>	<b>2,133,097,000</b>	<b>2,178,218,000</b>	<b>2,230,511,000</b>	<b>2,206,871,000</b>	<b>+148,186,000</b>
<b>Drug Enforcement Administration</b>						
Salaries and expenses:						
Budget authority.....	784,123,000	783,773,000	785,928,000	804,232,000	800,835,000	+36,512,000
Diversion control fund.....	-42,123,000	-43,431,000	-43,431,000	-43,431,000	-43,431,000	-1,308,000
Direct appropriation.....	722,000,000	720,342,000	742,487,000	780,801,000	757,204,000	+35,204,000
<b>Immigration and Naturalization Service</b>						
Salaries and expenses:						
General fund appropriation.....	1,048,538,000	1,148,930,000	1,088,802,000	1,184,898,000	1,102,871,000	+54,133,000
Immigration Initiative (crime trust fund).....		284,200,000	251,157,000	284,200,000	100,800,000	+100,800,000
Border control system modernization (crime trust fund).....					154,800,000	+154,800,000
<b>Subtotal.....</b>	<b>1,048,538,000</b>	<b>1,411,130,000</b>	<b>1,349,759,000</b>	<b>1,429,098,000</b>	<b>1,357,871,000</b>	<b>+308,333,000</b>
Immigration legalization fund.....	(4,344,000)	(3,499,000)	(3,499,000)	(3,499,000)	(3,499,000)	(-845,000)
Immigration user fund.....	(287,012,000)	(321,291,000)	(321,291,000)	(321,291,000)	(321,291,000)	(+34,279,000)
Land border inspection fund.....	(1,800,000)	(1,585,000)	(1,585,000)	(1,585,000)	(1,585,000)	(+215,000)
Immigration examinations fund.....	(277,971,000)	(352,298,000)	(352,298,000)	(352,298,000)	(281,087,000)	(+71,211,000)
Breached bond fund.....	(8,800,000)	(8,221,000)	(8,221,000)	(8,221,000)	(8,221,000)	(+579,000)
<b>Total, Salaries and expenses.....</b>	<b>(1,825,286,000)</b>	<b>(2,098,022,000)</b>	<b>(2,034,851,000)</b>	<b>(2,113,848,000)</b>	<b>(1,981,584,000)</b>	<b>(+132,264,000)</b>
Immigration Emergency Fund.....	8,000,000			8,500,000	75,000,000	+66,500,000
Construction.....				100,000,000	80,000,000	+20,000,000
<b>Total, Immigration and Naturalization Service.....</b>	<b>(1,831,286,000)</b>	<b>(2,098,022,000)</b>	<b>(2,034,851,000)</b>	<b>(2,222,448,000)</b>	<b>(2,108,584,000)</b>	<b>(+113,864,000)</b>
<b>Federal Prison System</b>						
Salaries and expenses:						
Budget authority.....	1,980,000,000	2,408,504,000	2,358,404,000	2,400,104,000	2,386,404,000	+408,404,000
Prior year carryover.....	-30,000,000				-30,000,000	
Direct appropriation.....	1,950,000,000	2,408,504,000	2,358,404,000	2,400,104,000	2,356,404,000	+408,404,000
National Institute of Corrections.....	10,211,000	10,144,000	10,344,000	10,144,000	10,344,000	+133,000
Buildings and facilities.....	288,543,000	191,021,000	238,084,000	243,324,000	280,484,000	+10,851,000
Federal Prison Industries, Incorporated (limitation on administrative expenses).....	(3,395,000)	(3,463,000)	(3,463,000)	(3,463,000)	(3,463,000)	(+68,000)
<b>Total, Federal prison system.....</b>	<b>2,228,754,000</b>	<b>2,807,889,000</b>	<b>2,804,842,000</b>	<b>2,853,572,000</b>	<b>2,847,242,000</b>	<b>+417,488,000</b>
<b>Total, Department of Justice.....</b>	<b>9,598,895,000</b>	<b>12,588,085,000</b>	<b>12,143,246,000</b>	<b>12,888,433,000</b>	<b>12,304,580,000</b>	<b>+2,705,885,000</b>
(Limitation on administrative expenses).....	(3,395,000)	(3,463,000)	(3,463,000)	(3,463,000)	(3,463,000)	(+68,000)
<b>RELATED AGENCIES</b>						
<b>Commission on Civil Rights</b>						
Salaries and expenses.....	7,778,000	10,148,000	9,500,000	8,413,000	9,000,000	+1,224,000
<b>Equal Employment Opportunity Commission</b>						
Salaries and expenses.....	230,000,000	244,804,000	238,000,000	240,000,000	233,000,000	+3,000,000
<b>Federal Communications Commission</b>						
Salaries and expenses:						
Budget authority.....	180,300,000	188,832,000	188,832,000	188,232,000	185,232,000	+24,932,000
Offsetting fee collections - current year.....	-80,400,000	-95,000,000	-116,400,000	-116,400,000	-116,400,000	-66,000,000
Existing law change - increased fees.....		-72,400,000				
Direct appropriation.....	98,800,000	-588,000	50,432,000	81,832,000	88,832,000	-31,088,000



## COMMERCE-JUSTICE-STATE-JUDICIARY APPROPRIATIONS BILL, FY 1995 (H.R. 4603), continued

	FY 1994 Enacted	FY 1995 Estimate	House	Senate	Conference	Conference compared with enacted
<b>Federal Maritime Commission</b>						
Salaries and expenses.....	18,900,000	18,589,000	18,589,000	18,589,000	18,589,000	-331,000
<b>Federal Trade Commission</b>						
Salaries and expenses:						
Budget authority.....	82,860,000	86,428,000	86,428,000	86,428,000	86,428,000	+3,568,000
Offsetting fee collections - carryover.....	-3,820,000		-3,800,000		-4,800,000	-800,000
Total, new budget authority.....	86,740,000	86,428,000	86,428,000	86,428,000	84,428,000	+5,888,000
Offsetting fee collections - current year.....	-20,820,000	-20,820,000	-20,820,000	-20,820,000	-25,000,000	-4,180,000
Existing law change.....		-12,840,000	-14,840,000	-12,840,000	-14,840,000	-14,840,000
Direct appropriation.....	67,920,000	61,968,000	66,968,000	66,488,000	64,788,000	-13,132,000
<b>National Commission to Support Law Enforcement</b>						
Salaries and expenses (by transfer).....	(500,000)					(-500,000)
<b>Securities and Exchange Commission</b>						
Salaries and expenses:						
Budget authority.....	289,150,000	308,000,000	89,843,000	304,582,000	133,589,000	-138,551,000
Offsetting fee collections - carryover.....	-30,840,000		-30,148,000		-30,148,000	-19,308,000
Total, new budget authority.....	238,310,000	308,000,000	8,495,000	304,582,000	83,451,000	-154,859,000
Offsetting fee collections - current year.....	-180,454,000	-308,000,000		-236,131,000		+180,454,000
Investment adviser fee - offsetting collection.....			-8,586,000	-8,586,000	-8,586,000	-8,586,000
Direct appropriation.....	57,856,000		800,000	57,856,000	74,856,000	+17,000,000
<b>State Justice Institute</b>						
Salaries and expenses 1/.....	13,550,000	15,000,000	13,550,000	13,550,000	13,550,000	
Total, related agencies.....	493,802,000	348,918,000	380,918,000	486,888,000	472,985,000	-23,307,000
Total, title I, Department of Justice and related agencies.....	10,084,797,000	12,935,984,000	12,534,165,000	13,081,121,000	12,777,145,000	+2,882,348,000
(By transfer).....	(500,000)			(350,000,000)		(-350,000,000)
(Limitation on administrative expenses).....	(3,365,000)	(3,483,000)	(3,483,000)	(3,483,000)	(3,483,000)	(+88,000)
<b>TITLE II - DEPARTMENT OF COMMERCE</b>						
<b>National Institute of Standards and Technology</b>						
Scientific and technical research and services.....	226,000,000	318,008,000	279,420,000	280,000,000	285,000,000	+38,000,000
Working capital fund transfer.....	-1,500,000					+1,500,000
Industrial technology services.....	232,524,000	518,980,000	465,890,000	554,000,000	525,000,000	+282,476,000
Construction of research facilities.....	61,886,000	100,000,000	64,886,000	64,886,000	64,886,000	+3,000,000
Total, National Institute of Standards and Technology.....	520,210,000	934,988,000	840,088,000	878,886,000	854,886,000	+334,476,000
<b>National Oceanic and Atmospheric Administration</b>						
Operations, research and facilities:						
Budget authority.....	1,894,753,000	1,831,029,000	1,762,978,000	1,850,000,000	1,836,000,000	+140,247,000
Offsetting collections:						
Fishery fees.....		-82,000,000	-35,000,000			
Sanctuary and zero chart fees.....		-8,000,000	-8,000,000		-6,000,000	-8,000,000
Direct appropriation.....	1,894,753,000	1,743,029,000	1,751,978,000	1,850,000,000	1,829,000,000	+134,247,000
(By transfer from Promote and Develop Fund).....	(54,800,000)	(55,500,000)	(55,500,000)	(55,500,000)	(55,500,000)	(+700,000)
(By transfer from Damage assessment and restoration revolving fund, permanent).....	1,500,000	8,500,000	8,500,000	8,500,000	8,500,000	+7,000,000
(Damage assessment and restoration revolving fund).....	-1,500,000	-1,500,000	-1,500,000	-1,500,000	-1,500,000	
Total, operations, research and facilities.....	1,894,753,000	1,750,029,000	1,759,978,000	1,857,000,000	1,836,000,000	+141,247,000
Coastal zone management fund.....	(7,800,000)	(7,800,000)	(7,800,000)	(7,800,000)	(7,800,000)	
Mandatory offset.....	(7,800,000)	(7,800,000)	(7,800,000)	(7,800,000)	(7,800,000)	
Construction.....	108,703,000	38,187,000	82,000,000	100,000,000	97,800,000	-8,103,000
Fleet modernization, shipbuilding and conversion.....	77,084,000	23,040,000	23,040,000	23,040,000	23,040,000	-54,024,000
Aircraft procurement and modernization.....	43,000,000					-43,000,000
Fishing vessel obligations guarantees.....	459,000		459,000		250,000	-209,000
Fishing vessel and gear damage fund.....	1,273,000	1,273,000	1,273,000	1,273,000	1,273,000	
Fishermen's contingency fund.....	999,000	999,000	999,000	999,000	999,000	
Foreign fishing observer fund.....	550,000	400,000	400,000	400,000	400,000	-150,000
Total, National Oceanic and Atmospheric Administration.....	1,824,801,000	1,811,838,000	1,837,148,000	1,882,712,000	1,856,562,000	+34,781,000
<b>General Administration</b>						
Salaries and expenses.....	33,042,000	36,510,000	36,510,000	36,510,000	36,510,000	+3,468,000
Office of Inspector General.....	18,000,000	18,847,000	18,800,000	17,250,000	18,800,000	+900,000

## COMMERCE-JUSTICE-STATE-JUDICIARY APPROPRIATIONS BILL, FY 1995 (H.R. 4603), continued

	FY 1994 Enacted	FY 1995 Estimate	House	Senate	Conference	Conference compared with enacted
Working capital fund (by transfer).....	(1,500,000)					(1,500,000)
<b>Total, general administration .....</b>	<b>49,042,000</b>	<b>53,357,000</b>	<b>53,410,000</b>	<b>53,760,000</b>	<b>53,410,000</b>	<b>+4,368,000</b>
<b>Bureau of the Census</b>						
Salaries and expenses.....	128,286,000	146,816,000	141,272,000	136,000,000	136,000,000	+7,714,000
Periodic censuses and programs .....	110,000,000	158,588,000	142,578,000	148,000,000	142,578,000	+32,578,000
<b>Total, Bureau of the Census .....</b>	<b>238,286,000</b>	<b>305,404,000</b>	<b>283,848,000</b>	<b>280,000,000</b>	<b>278,578,000</b>	<b>+40,280,000</b>
<b>Economic and Statistical Analysis</b>						
Salaries and expenses.....	45,220,000	54,278,000	48,815,000	48,937,000	48,937,000	+1,717,000
Economics and statistics administration revolving fund.....		1,877,000	1,877,000	1,877,000	1,877,000	+1,877,000
<b>International Trade Administration</b>						
Operations and administration.....	248,590,000	281,790,000	288,723,000	282,000,000	288,450,000	+17,860,000
<b>Export Administration</b>						
Operations and administration.....	34,747,000	43,122,000	38,823,000	36,181,000	38,823,000	+4,076,000
<b>Minority Business Development Agency</b>						
Minority business development .....	41,800,000	44,839,000	42,428,000	44,000,000	43,900,000	+2,300,000
<b>United States Travel and Tourism Administration</b>						
Salaries and expenses.....	17,120,000	17,907,000	14,907,000	17,907,000	16,407,000	-713,000
Proposed fees, offsetting receipts.....	-3,000,000	-3,000,000		-3,000,000		+3,000,000
<b>Patent and Trademark Office</b>						
Salaries and expenses.....	88,329,000		88,329,000	75,000,000	83,000,000	-5,329,000
Loss of offsetting receipt .....		107,000,000				
<b>Technology Administration</b>						
Salaries and expenses.....	5,700,000	11,237,000	10,000,000	11,237,000	10,000,000	+4,300,000
<b>National Technical Information Service</b>						
NTIS revolving fund .....		18,000,000	12,000,000		8,000,000	+8,000,000
<b>National Telecommunications and Information Administration</b>						
Salaries and expenses.....	19,827,000	22,122,000	21,056,000	20,881,000	20,881,000	+1,054,000
Public broadcasting facilities, planning and construction.....	24,000,000	10,742,000	26,000,000	30,000,000	28,000,000	+5,000,000
Endowment for Children's Educational Television .....	1,000,000	1,006,000	2,500,000	2,500,000	2,500,000	+1,500,000
Information infrastructure grants.....	26,000,000	99,988,000	70,000,000	52,000,000	64,000,000	+38,000,000
<b>Total, National Telecommunications and Information Administration .....</b>	<b>70,827,000</b>	<b>133,858,000</b>	<b>119,556,000</b>	<b>108,481,000</b>	<b>118,481,000</b>	<b>+45,554,000</b>
<b>Economic Development Administration</b>						
Economic development assistance programs.....	322,842,000	327,024,000	338,524,000	412,188,000	408,024,000	+85,382,000
Economic development guaranteed loans .....		50,000,000				
(Limitation on guaranteed loans).....		(269,000,000)				
Administrative expenses.....		1,976,000				
Salaries and expenses.....	28,000,000	32,539,000	32,205,000	38,000,000	32,205,000	+4,205,000
<b>Total, Economic Development Administration .....</b>	<b>350,842,000</b>	<b>411,539,000</b>	<b>370,729,000</b>	<b>448,188,000</b>	<b>440,229,000</b>	<b>+89,587,000</b>
<b>Total, title II, Department of Commerce (By transfer) .....</b>	<b>3,632,214,000</b>	<b>4,207,710,000</b>	<b>4,030,280,000</b>	<b>4,240,758,000</b>	<b>4,218,138,000</b>	<b>+585,924,000</b>
	(58,300,000)	(55,500,000)	(58,500,000)	(55,500,000)	(55,500,000)	(-800,000)
<b>TITLE III - THE JUDICIARY</b>						
<b>Supreme Court of the United States</b>						
Salaries and expenses:						
Salaries of justices.....	1,818,000	1,857,000	1,857,000	1,857,000	1,857,000	+41,000
Other salaries and expenses.....	21,384,000	22,866,000	22,500,000	22,868,000	22,583,000	+1,198,000
<b>Total, salaries and expenses.....</b>	<b>23,000,000</b>	<b>24,323,000</b>	<b>24,157,000</b>	<b>24,323,000</b>	<b>24,240,000</b>	<b>+1,240,000</b>
Care of the building and grounds.....	2,850,000	3,080,000	3,000,000	3,045,000	3,000,000	+150,000
<b>Total, Supreme Court of the United States .....</b>	<b>25,850,000</b>	<b>27,403,000</b>	<b>27,157,000</b>	<b>27,368,000</b>	<b>27,240,000</b>	<b>+1,360,000</b>
<b>United States Court of Appeals for the Federal Circuit</b>						
Salaries and expenses:						
Salaries of judges.....	1,727,000	1,758,000	1,758,000	1,758,000	1,758,000	+31,000
Other salaries and expenses.....	11,173,000	12,880,000	11,880,000	11,804,000	11,880,000	+507,000
<b>Total, salaries and expenses.....</b>	<b>12,900,000</b>	<b>14,638,000</b>	<b>13,438,000</b>	<b>13,362,000</b>	<b>13,438,000</b>	<b>+538,000</b>



## COMMERCE-JUSTICE-STATE-JUDICIARY APPROPRIATIONS BILL, FY 1995 (H.R. 4603), continued

	FY 1994 Enacted	FY 1995 Estimate	House	Senate	Conference	Conference compared with enacted
<b>United States Court of International Trade</b>						
Salaries and expenses:						
Salaries of judges.....	1,331,000	1,385,000	1,385,000	1,385,000	1,385,000	+54,000
Other salaries and expenses.....	9,889,000	10,380,000	10,300,000	10,380,000	10,300,000	+831,000
Total, salaries and expenses.....	11,000,000	11,765,000	11,685,000	11,765,000	11,685,000	+685,000
<b>Courts of Appeals, District Courts, and Other Judicial Services</b>						
Salaries and expenses:						
Salaries of judges.....	172,131,000	172,590,000	172,590,000	172,590,000	172,590,000	+459,000
Salaries of Bankruptcy judges.....		47,838,000	47,838,000	47,838,000	47,838,000	+47,838,000
Other salaries and expenses.....	1,995,869,000	2,256,265,000	2,103,027,000	2,186,890,000	2,119,899,000	+123,000,000
Offsetting fee collections.....	-12,800,000					+12,800,000
Direct appropriation.....	2,156,000,000	2,478,693,000	2,323,455,000	2,409,318,000	2,340,127,000	+184,127,000
Vaccine Injury Compensation Trust Fund.....	2,180,000	2,250,000	2,250,000	2,250,000	2,250,000	+80,000
Defender services.....	277,000,000	290,283,000	290,000,000	290,000,000	290,000,000	-27,000,000
Fees of jurors and commissioners.....	77,098,000	74,071,000	62,692,000	66,000,000	66,348,000	-17,749,000
Court security.....	86,000,000	97,532,000	97,000,000	97,532,000	97,000,000	+11,000,000
Total, Courts of Appeals, District Courts, and Other Judicial Services.....	2,598,255,000	2,940,829,000	2,735,397,000	2,815,100,000	2,748,723,000	+150,466,000
<b>Administrative Office of the United States Courts</b>						
Salaries and expenses.....	44,800,000	48,804,000	46,500,000	47,734,000	47,500,000	+2,800,000
<b>Federal Judicial Center</b>						
Salaries and expenses.....	18,450,000	19,739,000	18,628,000	19,739,000	18,628,000	+378,000
<b>Judicial Retirement Funds</b>						
Payment to Judiciary Trust Funds.....	20,545,000	35,375,000	26,475,000	26,475,000	26,475,000	+7,930,000
<b>United States Sentencing Commission</b>						
Salaries and expenses.....	8,468,000	9,200,000	8,468,000	9,200,000	8,800,000	+332,000
Total, title III, the Judiciary.....	2,740,368,000	3,107,753,000	2,869,948,000	2,972,743,000	2,904,699,000	+164,321,000
<b>TITLE IV - RELATED AGENCIES</b>						
<b>DEPARTMENT OF TRANSPORTATION</b>						
<b>Maritime Administration</b>						
Operating-differential subsidies (liquidation of contract authority).....	(240,670,000)	(214,356,000)	(214,368,000)	(214,368,000)	(214,366,000)	(-26,514,000)
Operations and training.....	78,423,000	78,999,000	78,100,000	78,000,000	78,100,000	-323,000
Ready reserve force:						
Maintenance, operations and facilities.....	136,000,000	250,000,000	179,415,000	136,000,000	150,000,000	+12,000,000
Fleet addition.....	180,000,000					-180,000,000
Rescission.....			-27,000,000	-158,000,000	-158,000,000	-158,000,000
Total, ready reserve force.....	296,000,000	250,000,000	152,415,000	-20,000,000	-8,000,000	-308,000,000
Maritime Guaranteed Loan Program Account:						
Guaranteed loans subsidy.....		50,000,000	25,000,000	25,000,000	25,000,000	+25,000,000
(Limitation on guaranteed loans).....		(500,000,000)	(250,000,000)	(250,000,000)	(250,000,000)	(+250,000,000)
Administrative expenses.....		4,000,000	2,000,000	2,000,000	2,000,000	+2,000,000
Total, Maritime guaranteed loan program account.....		54,000,000	27,000,000	27,000,000	27,000,000	+27,000,000
Total, Maritime Administration.....	374,423,000	380,999,000	255,515,000	86,000,000	95,100,000	-279,323,000
<b>Commission on Immigration Reform</b>						
Salaries and expenses.....	618,000	1,494,000	1,494,000	1,894,000	1,894,000	+1,276,000
(By transfer).....	(500,000)					(-500,000)
<b>Commission on Security and Cooperation in Europe</b>						
Salaries and expenses.....	1,099,000	1,090,000	1,090,000	1,090,000	1,090,000	-9,000
<b>Competitiveness Policy Council</b>						
Salaries and expenses.....	1,140,000	1,140,000	1,000,000	1,000,000	1,000,000	-140,000
<b>Marine Mammal Commission</b>						
Salaries and expenses.....	1,290,000	1,384,000	1,320,000	1,384,000	1,384,000	+94,000
<b>Martin Luther King, Jr. Federal Holiday Commission</b>						
Salaries and expenses.....	500,000	300,000	300,000	300,000	300,000	-200,000
<b>Office of the United States Trade Representative</b>						
Salaries and expenses.....	21,150,000	20,949,000	20,949,000	20,949,000	20,949,000	-201,000

## COMMERCE-JUSTICE-STATE-JUDICIARY APPROPRIATIONS BILL, FY 1995 (H.R. 4603), continued

	FY 1994 Enacted	FY 1995 Estimate	House	Senate	Conference	Conference compared with enacted
<b>Small Business Administration</b>						
Budget Authority .....	258,800,000	252,199,000	288,250,000	259,818,000	267,525,000	+8,825,000
Offsetting fee collections .....		-25,350,000	-9,350,000	-29,350,000	-9,350,000	-9,350,000
Direct appropriation .....	258,800,000	225,549,000	258,900,000	233,468,000	258,175,000	-725,000
Office of Inspector General .....	7,982,000	8,452,000	8,500,000	8,500,000	8,500,000	+538,000
Business Loans Program Account:						
Direct loans subsidy .....	16,946,000		8,500,000	8,221,000	8,596,000	-7,350,000
Guaranteed loans subsidy .....	191,941,000	310,181,000	267,419,000	248,827,000	274,438,000	+82,498,000
Micro loan guarantees .....		7,908,000	3,848,000	1,216,000	1,216,000	+1,216,000
Section 503, prepayment .....		30,000,000	30,000,000	30,000,000	30,000,000	+30,000,000
Administrative expenses .....	94,737,000	97,484,000	97,000,000	97,000,000	97,000,000	+2,263,000
Total, Business loans program account .....	303,624,000	445,551,000	428,567,000	383,384,000	412,251,000	+108,627,000
Disaster Loans Program Account:						
Direct loans subsidy .....		52,153,000	52,153,000	52,153,000	52,153,000	+52,153,000
Emergency supplemental appropriations .....	254,790,000					-254,790,000
Administrative expenses .....	78,101,000	78,308,000	78,000,000	78,000,000	78,000,000	+1,889,000
Emergency supplemental appropriations .....	55,000,000					-55,000,000
Subtotal .....	385,851,000	130,461,000	130,153,000	130,153,000	130,153,000	-255,698,000
Contingency fund .....	(140,000,000)		(125,000,000)	(125,000,000)	(125,000,000)	(-15,000,000)
Surety bond guarantees revolving fund .....	7,000,000	5,389,000	5,389,000	5,389,000	5,389,000	-1,631,000
Total, Small Business Administration .....	963,337,000	815,682,000	829,469,000	780,854,000	814,448,000	-148,688,000
<b>Thomas Jefferson Commemoration Commission</b>						
Salaries and expenses .....	82,000					-82,000
<b>Legal Services Corporation</b>						
Payment to the Legal Services Corporation .....	400,000,000	500,000,000	415,000,000	400,000,000	415,000,000	+15,000,000
Total, title IV, related agencies .....	1,763,619,000	1,723,038,000	1,528,157,000	1,272,471,000	1,351,165,000	-412,454,000
(Liquidation of contract authority) .....	(240,870,000)	(214,358,000)	(214,358,000)	(214,358,000)	(214,358,000)	(-26,514,000)
<b>TITLE V - DEPARTMENT OF STATE AND RELATED AGENCIES</b>						
<b>DEPARTMENT OF STATE</b>						
<b>Administration of Foreign Affairs</b>						
Diplomatic and consular programs .....	1,704,589,000	1,780,438,000	1,700,200,000	1,780,438,000	1,731,418,000	+28,827,000
Registration fees .....	886,000	700,000	700,000	700,000	700,000	+36,000
Total .....	1,705,254,000	1,781,138,000	1,700,900,000	1,781,138,000	1,732,118,000	+28,862,000
Salaries and expenses .....	385,722,000	381,373,000	385,000,000	381,373,000	385,000,000	-11,722,000
Office of Inspector General .....	23,486,000	23,798,000	23,850,000	23,850,000	23,850,000	+361,000
Representation allowances .....	4,780,000	4,780,000	4,780,000	4,780,000	4,780,000	
Protection of foreign missions and officials .....	10,551,000	8,579,000	8,579,000	8,579,000	8,579,000	-972,000
Acquisition and maintenance of buildings abroad .....	410,000,000	421,780,000	386,000,000	421,780,000	421,780,000	+11,780,000
Emergencies in the diplomatic and consular service .....	7,805,000	6,500,000	6,500,000	6,500,000	6,500,000	-1,305,000
Repatriation Loans Program Account:						
Direct loans subsidy .....	593,000	593,000	593,000	593,000	593,000	
(Limitation on direct loans) .....	(741,000)	(741,000)	(741,000)	(741,000)	(741,000)	
Administrative expenses .....	183,000	183,000	183,000	183,000	183,000	
Total, Repatriation loans program account .....	778,000	778,000	778,000	778,000	778,000	
Payment to the American Institute in Taiwan .....	15,185,000	15,485,000	15,485,000	15,485,000	15,485,000	+300,000
Payment to the Foreign Service Retirement and Disability Fund .....	125,084,000	129,321,000	129,321,000	129,321,000	129,321,000	+4,237,000
Total, Administration of Foreign Affairs .....	2,889,808,000	2,783,491,000	2,872,171,000	2,784,543,000	2,726,147,000	+26,941,000
<b>International Organizations and Conferences</b>						
Contributions to international organizations, current year assessment .....	880,885,000	873,222,000	873,222,000	873,222,000	873,222,000	+12,337,000
Arrears payments accumulated before FY 1994 .....		40,719,000	40,719,000		4,000,000	+4,000,000
Total .....	880,885,000	913,941,000	913,941,000	877,222,000	877,222,000	+18,337,000
Contributions for international peacekeeping activities, current year assessment .....	401,807,000	222,212,000	222,212,000	222,212,000	222,212,000	-179,389,000
Arrears payments accumulated in FY 1994 .....		288,000,000	288,000,000	284,898,000	288,000,000	+288,000,000
Arrears payments accumulated before FY 1994 .....		23,092,000	23,092,000	23,092,000	23,092,000	+23,092,000
Total .....	401,807,000	533,304,000	533,304,000	500,000,000	533,304,000	+131,867,000
International conferences and contingencies .....	6,000,000	6,000,000	6,000,000	6,000,000	6,000,000	
Total, International Organizations and Conferences .....	1,289,492,000	1,453,245,000	1,453,245,000	1,379,222,000	1,416,526,000	+148,024,000



## COMMERCE-JUSTICE-STATE-JUDICIARY APPROPRIATIONS BILL, FY 1995 (H.R. 4603), continued

	FY 1994 Enacted	FY 1995 Estimate	House	Senate	Conference	Conference compared with enacted
<b>International Commissions</b>						
<b>International Boundary and Water Commission, United States and Mexico:</b>						
Salaries and expenses .....	11,200,000	15,356,000	13,947,000	12,858,000	12,858,000	+1,658,000
Construction .....	14,400,000	10,396,000	8,844,000	7,733,000	8,844,000	-7,766,000
American sections, international commissions .....	4,290,000	7,591,000	5,800,000	5,800,000	5,800,000	+1,510,000
International fisheries commissions .....	16,200,000	14,689,000	14,689,000	14,689,000	14,689,000	-1,531,000
<b>Total, international commissions .....</b>	<b>46,090,000</b>	<b>47,986,000</b>	<b>41,080,000</b>	<b>41,080,000</b>	<b>38,971,000</b>	<b>-8,119,000</b>
<b>Other</b>						
United States Bilateral Science and Technology Agreements .....	4,275,000					-4,275,000
Payment to the Asia Foundation .....	16,000,000	16,086,000	15,000,000	15,000,000	10,000,000	-8,000,000
<b>Total, other .....</b>	<b>20,275,000</b>	<b>16,086,000</b>	<b>15,000,000</b>	<b>15,000,000</b>	<b>10,000,000</b>	<b>-10,275,000</b>
<b>Total, Department of State .....</b>	<b>4,034,483,000</b>	<b>4,300,790,000</b>	<b>4,181,478,000</b>	<b>4,219,825,000</b>	<b>4,195,844,000</b>	<b>+161,181,000</b>
<b>RELATED AGENCIES</b>						
<b>Arms Control and Disarmament Agency</b>						
Arms control and disarmament activities .....	53,500,000	51,195,000	54,500,000	54,500,000	54,500,000	+1,000,000
<b>Board for International Broadcasting</b>						
Grants and expenses 2/ .....	210,000,000					-210,000,000
<b>Commission for the Preservation of America's Heritage Abroad</b>						
Salaries and expenses .....	200,000	206,000	206,000	206,000	206,000	+6,000
<b>International Trade Commission</b>						
Salaries and expenses .....	43,500,000	44,957,000	44,200,000	43,500,000	42,500,000	-1,000,000
<b>Japan - United States Friendship Commission</b>						
Japan - United States Friendship Trust Fund .....	1,250,000	1,247,000	1,247,000	1,000,000	1,247,000	-3,000
(Foreign currency appropriations) .....	(1,420,000)		(1,420,000)	(1,420,000)	(1,420,000)	
<b>United States Information Agency</b>						
Salaries and expenses .....	726,000,000	484,882,000	476,382,000	480,382,000	476,382,000	-251,638,000
Office of Inspector General .....	4,247,000	4,247,000	4,300,000	4,300,000	4,300,000	+53,000
Educational and cultural exchange programs .....	241,150,000	221,612,000	237,612,000	242,388,000	236,279,000	-2,671,000
Eisenhower Exchange Fellowship Program, trust fund .....	300,000	300,000	2,400,000	2,800,000	2,800,000	+2,500,000
Israeli Arab scholarship program .....	159,000	397,000	397,000	397,000	397,000	+238,000
International Broadcasting Operations 3/ .....		536,076,000	476,798,000	475,478,000	488,798,000	+468,798,000
Radio construction .....	73,184,000	99,271,000	86,314,000	93,186,000	86,314,000	+12,150,000
<b>Radio Free Asia:</b>						
Operations .....				10,000,000	10,000,000	+10,000,000
Facilities .....				8,000,000		
(By transfer) .....			(10,000,000)			
Broadcasting to Cuba .....				24,808,000	24,808,000	+24,808,000
Radio Marti .....	14,000,000		8,825,000			-14,000,000
Television Marti .....	7,000,000					-7,000,000
East-West Center .....	26,000,000	24,500,000	20,500,000	24,500,000	24,500,000	-1,500,000
North/South Center .....	7,700,000		5,000,000		4,000,000	-3,700,000
National Endowment for Democracy .....	36,000,000	45,000,000	33,000,000	35,000,000	34,000,000	-1,000,000
<b>Total, United States Information Agency .....</b>	<b>1,136,720,000</b>	<b>1,428,467,000</b>	<b>1,360,508,000</b>	<b>1,401,199,000</b>	<b>1,378,567,000</b>	<b>+236,637,000</b>
<b>Total, related agencies .....</b>	<b>1,446,170,000</b>	<b>1,536,772,000</b>	<b>1,490,898,000</b>	<b>1,500,405,000</b>	<b>1,472,010,000</b>	<b>+26,840,000</b>
<b>Total, title V, Department of State and related agencies .....</b>	<b>5,479,633,000</b>	<b>5,838,562,000</b>	<b>5,632,135,000</b>	<b>5,720,230,000</b>	<b>5,667,854,000</b>	<b>+168,021,000</b>
<b>TITLE VI - GENERAL PROVISIONS</b>						
Procurement: General Provisions .....		-36,052,000	-36,052,000	-36,052,000	-36,052,000	-36,052,000
Procurement: General Provisions (Function 150) .....		-7,126,000	-7,126,000	-7,126,000	-7,126,000	-7,126,000
<b>Total, title VI, general provisions .....</b>		<b>-46,180,000</b>	<b>-46,180,000</b>	<b>-46,180,000</b>	<b>-46,180,000</b>	<b>-46,180,000</b>
<b>TITLE VII - SUPPLEMENTAL APPROPRIATIONS, FY 1994</b>						
<b>CHAPTER I - EMERGENCY APPROPRIATIONS</b>						
<b>DEPARTMENT OF COMMERCE</b>						
<b>Economic Development Administration</b>						
<b>Economic Development Assistance Programs:</b>						
Assistance programs .....				50,000,000	50,000,000	+50,000,000
Salaries and expenses .....				5,000,000	5,000,000	+5,000,000
<b>Total, Economic Development Assistance Program .....</b>				<b>55,000,000</b>	<b>55,000,000</b>	<b>+55,000,000</b>

## COMMERCE-JUSTICE-STATE-JUDICIARY APPROPRIATIONS BILL, FY 1995 (H.R. 4603), continued

	FY 1994 Enacted	FY 1995 Estimate	House	Senate	Conference	Conference compared with enacted
<b>Small Business Administration</b>						
Disaster Loans Program Account:						
Direct loans subsidy.....		250,000,000	285,000,000	335,000,000	335,000,000	+335,000,000
Administrative expenses.....		150,000,000	135,000,000	135,000,000	135,000,000	+135,000,000
<b>Total, Small Business Administration.....</b>		<b>400,000,000</b>	<b>400,000,000</b>	<b>470,000,000</b>	<b>470,000,000</b>	<b>+470,000,000</b>
<b>DEPARTMENT OF TRANSPORTATION</b>						
<b>Federal Highway Administration</b>						
Federal-aid highways (Highway Trust Fund):						
Emergency relief program.....		-400,000,000	-400,000,000	-400,000,000	-400,000,000	-400,000,000
<b>Total, emergency appropriations.....</b>				<b>125,000,000</b>	<b>125,000,000</b>	<b>+125,000,000</b>
<b>CHAPTER II</b>						
<b>DEPARTMENT OF STATE</b>						
<b>International Organizations and Conferences</b>						
Contributions for international peacekeeping activities, average payments accumulated in FY94.....		670,000,000	670,000,000	670,000,000	670,000,000	+670,000,000
<b>Total, title VII, Supplemental, FY 1994.....</b>		<b>670,000,000</b>	<b>670,000,000</b>	<b>795,000,000</b>	<b>795,000,000</b>	<b>+795,000,000</b>
<b>TITLE VIII - VIOLENT CRIME CONTROL APPROPRIATIONS ACT, 1994</b>						
Crime trust fund 4/.....						
Scorekeeping adjustments.....		-34,255,000	-34,255,000	-34,255,000	-34,255,000	-34,255,000
<b>Grand total.....</b>	<b>23,710,631,000</b>	<b>26,400,562,000</b>	<b>27,202,230,000</b>	<b>26,001,686,000</b>	<b>27,633,356,000</b>	<b>+3,822,725,000</b>
Fiscal year 1994.....		(670,000,000)	(670,000,000)	(795,000,000)	(795,000,000)	(+795,000,000)
Fiscal year 1995.....	(23,710,631,000)	(27,730,562,000)	(28,632,230,000)	(27,206,686,000)	(28,636,356,000)	(+3,127,725,000)
Appropriations.....	(23,710,631,000)	(24,867,562,000)	(24,136,230,000)	(24,660,386,000)	(24,661,356,000)	(+840,725,000)
Reconciliation.....			(-27,000,000)	(-158,000,000)	(-158,000,000)	(-158,000,000)
Crime trust fund.....		(2,773,000,000)	(2,423,000,000)	(2,514,500,000)	(2,345,000,000)	(+2,345,000,000)
(By transfer).....	(57,300,000)	(58,500,000)	(65,500,000)	(405,500,000)	(55,500,000)	(-1,800,000)
(Limitation on administrative expenses).....	(3,365,000)	(3,463,000)	(3,463,000)	(3,463,000)	(3,463,000)	(+88,000)
(Limitation on direct loans).....	(741,000)	(741,000)	(741,000)	(741,000)	(741,000)	
(Liquidation of contract authority).....	(240,670,000)	(214,356,000)	(214,356,000)	(214,356,000)	(214,356,000)	(-26,314,000)
(Foreign currency appropriation).....	(1,420,000)		(1,420,000)	(1,420,000)	(1,420,000)	

1/ The State Justice Institute is authorized to submit its budget directly to Congress. The President's request includes \$1,250,000 for the Institute.

2/ \$256,708,000 is included in USA, International Broadcasting Operations for transfer to the Board for International Broadcasting.

3/ Includes \$243,761,000 for VOA S&E, \$10,000,000 for Radio Free Asia, \$27,809,000 for Broadcasting to Cuba and \$256,708,000 to be transferred to the Board for International Broadcasting.

4/ See Title I, Department of Justice; total appropriations is \$2,345,000,000.



Mr. Speaker, I reserve the balance of my time.

Mr. ROGERS. Mr. Speaker, I yield myself 6 minutes.

Mr. Speaker, let me open by again saying how much we appreciate the work of the new chairman of this subcommittee. This was Chairman MOLLOHAN's maiden voyage, and this is, we hope, the terminal of that, terminus of that great voyage. He encountered so many icebergs along the way and so many gale-force winds blowing, swirling around on this bill this time that it is remarkable that we are where we are at this moment.

He did a masterful job, and we thank him for his patience and perseverance and his willingness to listen and to take constructive advice from time to time, although he was in charge of this ship, and the command post was his alone. But he was able to let many of us in to give him constructive advice from time to time, and that went across the aisle on his side and mine as well.

So I commend Chairman MOLLOHAN for a tremendous job. He came in here almost cold on this bill, and immersed himself and staff for weeks on end in order to bring us to where we are.

And like the chairman, I want to thank the other members of the subcommittee on both sides of the aisle who have been constructive and helpful and who all have a part of this bill and, of course, the staff that has been mentioned, both majority and minority staff. On our side, Jennifer and Liz have been, of course, especially helpful to us, and the majority staff of the committee has been likewise very, very helpful.

Mr. Speaker, I am in strong support of the report. This conference agreement provides \$26.8 billion in budget authority. That is a \$3.4 billion increase over 1994, but of that increase, 80 percent of it goes to fight the war on crime, the No. 1 problem in the country and the No. 1 priority in this bill. Mr. Speaker, this may very well be the crime bill this year. I certainly hope it is. I think the crime bill that has been in the news in the last few days is an abomination, but this bill provides essential, direct-line crime fighting monies to the core agencies, the FBI, the Drug Enforcement Administration, the Border Patrol, prison guards, and those people who are on the front lines of the war on crime.

This bill brings those agencies up to historically high levels of 1992. For the Department of Justice, the conference agreement provides \$12.2 billion. That is a 30-percent increase over last year and \$161 million over the House-passed bill.

□ 1250

Mr. Speaker, I am very pleased to report that this conference agreement specifically rejects the Clinton admin-

istration's attempts to cut Federal law enforcement. For the FBI, not only did we restore the 436 FBI agents the administration has cut over the last 2 years, we provided funds to redeploy another 300 agents to the front lines. So this puts 736 more agents on the street, bringing the FBI above their peak agent strength in 1992.

Now I want to repeat again that the budget request the administration sent to us for the FBI would have required further laying off the FBI agents, as they have forced us to do over the last 2 years.

We reject that and in fact increase FBI.

Same for the Drug Enforcement Administration. We restore the 311 special agents the administration has cut over the last 2 years, and we bring DEA, or the Drug Enforcement Administration, back to their 1992 peak strength.

Prisons: This agreement will allow 24 more prisons to be opened and 11 more facilities to be built or expanded. This is a real crime bill, Mr. Speaker.

On our borders, the conference agreement includes almost \$300 million for a major immigration initiative, including an almost 1,000 more border Patrol agent force on the front lines guarding our borders. That is on top of the 600 new agents we provided last year.

For our State and local law enforcement efforts, we have \$1.3 billion to put more cops on the street, \$100 million to help States update and improve their criminal records.

We rejected the administration's proposal to cut the Byrne Formula Grant Program and instead gave it a 26-percent increase. That is money to State and local law enforcement agencies.

For other agencies in the bill, Commerce, Judiciary, State Department, we were also able to do a little better than the House-passed bill, but not much.

Mr. Speaker, this conference report is a tough crime bill. Within tight budget constraints it puts the emphasis where it belongs, putting cops on the street. This is not just talk, this is action. We increase FBI. We increase the lawyers out there fighting drugs, Drug Enforcement Administration, and we build more prisons to put more prisoners away.

This is a good bill. I urge support for it.

Mr. Speaker, I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. BROWN], the distinguished chairman of the Committee on Science, Space, and Technology.

Mr. BROWN of California. Mr. Speaker, I thank the distinguished chairman of the subcommittee for allowing me to have a few minutes here.

Mr. Speaker, I rise in support of the Commerce, Justice, and State appropriations conference report and I com-

ment the gentleman from West Virginia and the conferees for their efforts.

I am pleased with the substance of the bill as it pertains to programs in the jurisdiction of the Committee on Science, Space, and Technology. I am gratified that is not overburdened with efforts to bypass the proper authorizing committees with inappropriate legislative language. I wish I could say that the bill is free of earmarks, but I cannot—a point I will return to later.

The conferees have produced a bill that is fundamentally responsive to the administration's requests for substantial increases in technology investment programs. Increasingly, economists and other public policy analysts have come to recognize that arguments for Government support of research and development activities apply not only to basic research but also farther down the R&D scale toward commercial development. R&D investments like those in the advanced technology program, for example, are critical to raising the Nation's productivity and standard of living, yet they all too often are singled out for reduction or elimination by zealous deficit cutters who overlook their longer term payoffs in order to achieve short term budget savings.

This did not happen in this conference report. Instead, funding for the National Institute of Standards and Technology was increased 64 percent over last year's level, to \$855 million.

I am also pleased that the committee was able to increase funding for NOAA operations, research, and facilities above the fiscal year level in a tight budget environment. But I want to mention an item of particular concern contained in the statement of managers related to the Department of Commerce's plan to modernize our Nation's weather system. The statement of managers includes language intended to mandate the installation of an advanced weather radar system, called Nexrad, in Jackson, KY.

Since the proposal was made in 1988 to modernize the national weather radar system, the Committee on Science, Space, and Technology has maintained an active interest in ensuring that all areas of the country receive the benefits of this program and suffer no degradation of service. Congress passed Public Law 102-567, the Weather Service Modernization Act, to ensure that the administration carried out a fair and technically sound implementation program. Just last month, the committee held hearings in Huntsville, AL, to review this issue.

As a result of those hearings, the committee has asked the Secretary of Commerce to commission an independent review of certain areas of the country which may not receive adequate coverage under the current National Weather Service plan. Legislation

guiding that review will be introduced shortly. I believe that the question of coverage in eastern Kentucky as well as six or seven other geographic areas is serious enough that it deserves an independent technical review by knowledgeable experts. The issues are complex and, I might say, beyond the technical capabilities of the conferees on this bill. It may well be that after a thorough technical review, it would be appropriate to procure and site several additional Nexrad radars in affected areas of the country.

I have been approached by many well-meaning Members who have made similar claims and have similar concerns for their districts. Yet, I believe that the only responsible approach is one in which a serious examination of the data and the technical factors is carried out. The language in the statement of managers on page 57 of the conference report undercuts the intent of this review.

I want to remind the Secretary of Commerce that this report language is not binding and should not override Public Law 102-567.

I would be happy to have the proponents of this language join with us in calling for a fair, technically credible, and independent review of his situation. He is not alone in his concern and I will ensure that eastern Kentucky is made a part of this review.

Finally, as Members know, I remain concerned about the level of academic earmarking effected through our appropriations bills and reports. This bill comes back from conference with several new earmarks, and the House and Senate reports contain many more. Although the number and cost of earmarks in this appropriations bill and its associated reports is about the same range as last year, and down substantially from a few years ago when I and other members of the Science Committee first began addressing the problem, I am disappointed that we have not made further progress. I include a chart showing those earmarks we have been able to identify.

Cabinet Secretaries should remember—and I know the distinguished chairman of the Commerce, Justice, and State Appropriations Subcommittee would join me on this point—that report language is not binding upon their Departments. None of us here on the floor can offer amendments to that language, nor do we vote on it. Report language does not represent the law of the land, nor is it explicitly or implicitly endorsed by the House when we vote in favor of passage of the conference report.

Despite my concerns about these earmarks, Mr. Speaker, I believe that, on balance, this is good report. I urge all Members to support it.

The chart referred to is as follows:

Academic Earmarks Commerce, Justice, State, Judiciary and related agencies appropriations bill, 1995		
In the bill		
Agency—school		Amount
Commerce:		
Florida State University—construction of a meteorological sciences building .....	(1)	
Rutgers University—Multispecies Aquaculture Center .....		\$3,500,000
Indiana State University—Center of Interdisciplinary Research and Education .....		5,200,000
Saint Francis College & Saint Vincent College—Center for Global Competitiveness .....		1,200,000
Wheeling Jesuit College—Minority Apprenticeship Program in Technology Management .....		600,000
Savannah State College—U.S.-African Trade and Technology Center .....		200,000
SBA:		
University of Arkansas, Fayetteville—Genesis Small Business Incubator Facility .....		1,000,000
Seton Hill College—Center for Entrepreneurial Opportunity .....		1,000,000
Hazard Community College—Small Business Consulting, Information & Assistance Center .....		1,000,000
University of Central Arkansas—National Data Center Small Business Institute .....		200,000
Total .....		13,900,000
In the reports		
Justice:		
University of Arkansas, Little Rock—a National Rural Law Enforcement Center for rural crime research ....	(1)	
Lamar University, TX—instructional facility for criminal justice, drug treatment and correctional education .....	(1)	
FCC:		
Rutgers University—wireless information network subscription ..		30,000
Commerce:		
University of Maryland—Chesapeake Bay observation buoys .....		400,000
University of Scranton's National Institute for Environmental Renewal—pollution affecting the Chesapeake Bay .....		500,000
University of Miami's Rosenstiel School of Marine and Atmospheric Sciences—oil spill research .....		800,000

Agency—school	Amount
Southeast Consortium on Severe Tornadoes and Thunderstorms—Florida State University; Georgia Institute of Technology; North Carolina State University; and Univ of AL, Huntsville .....	400,000
University of Miami—SE US/Caribbean FOCI (marine research) .....	450,000
University of North Dakota—agricultural weather information initiative .....	300,000
University of South Carolina's Baruch Institute—small, high-salinity estuaries research .....	700,000
Oregon State University—Hatfield Marine Science Center .....	350,000
University of Alaska—Fishery observer training .....	300,000
University of Hawaii—Hawaii Stock management plan .....	500,000
Texas A&M University—Beluga whale committee .....	200,000
University of Hawaii—Hawaiian fisheries aquaculture technology .....	750,000
Oregon State University's Hatfield Marine Science Center—establish a groundfish unit ..	2,000,000
University of Nebraska at Lincoln—National Drought Mitigation Program .....	200,000
University of Southwestern Louisiana—Interagency Estuarine Habitats Research Laboratory .....	11,000,000
Oregon State University's Hatfield Marine Science Center—wharf and support facilities ..	2,600,000
University of Alaska—Kodiak Fisheries Center .....	(1)
Oregon Graduate Institute—Interactive computer-moderated dialog work .....	(1)
Wheeling Jesuit College—Integrate resources of the National Technology Transfer Center with Technology Administration .....	(1)
University of New Mexico & University of CA, Los Angeles—Latin American data bases ...	1,500,000
New Mexico State University—U.S.-Mexico Conflict Resolution Center .....	500,000
University of Arizona—National Law Center for Inter-American Free Trade .....	500,000
Michigan and Canadian universities—International Center for Study of Canadian-American Trade .....	300,000



Agency—school	Amount
University of Miami— North/South Center .....	4,000,000
Total .....	28,280,000
Grand total, bill and reports .....	42,180,000

<sup>1</sup> Unspecified.

Mr. ROGERS. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona [Mr. KOLBE], a very hard-working member of our subcommittee, who has been of immeasurable help to us.

Mr. KOLBE. Mr. Speaker, I thank the gentleman for yielding this time to me and for his kind comments.

Mr. Speaker, I rise in strong support of the fiscal year 1995 Commerce, Justice, State, and Judiciary bill. I commend the new chairman of our subcommittee, the gentleman from West Virginia [Mr. MOLLOHAN], for his leadership and judgment in steering his first bill through the subcommittee. I would also like to thank the ranking Republican, the gentleman from Kentucky [Mr. ROGERS], for his guidance and leadership on this bill.

Mr. Speaker, this bill is the real McCoy—a genuine crime bill. The focus of this crime bill is making our streets safer, making our borders more secure, locking up more criminals. It's tough on criminals and sends a message that Americans are serious about fighting the scourge of crime in America.

While Congress debates the politics of crime in another bill that bears the label "crime bill," this is legislation that in a quiet, unassuming way goes after the problem that confronts law-abiding Americans everyday. This is a bill that walks tall against crime and carries a big stick; the other crime bill beats its chest, but carries heaping platefuls of lard. So today we have an opportunity to pass a meaningful crime bill.

Eighty percent of the bill's increase, \$2.8 billion, is for crime fighting initiatives. A total of 736 more FBI agents will be on the front lines to fight crime after this bill becomes law. This will restore the level of agents to its peak 1992 level—the level that existed before the administration began its 2-year assault on FBI staffing levels.

The Drug Enforcement Administration will also see its numbers restored to its peak 1992 level—before the administration took the meat ax to this important crime fighting agency. Your vote today gives DEA a \$37 million increase over President Clinton's budget submission.

The bill makes a clear policy statement that we are serious about securing our borders. It does this by increasing fiscal year 1994 levels for INS by \$310 million. There is \$55 million in this bill to hire 700 new Border Patrol agents and deploying 250 additional agents to the front lines. There is \$117 million to provide for technology enhancement to help in the struggle to protect our borders.

Put all these numbers together and you have 950 additional agents on our southern border to help make it safer and more secure. The 950 new agents, according to INS, will enable them to implement the highly successful El Paso model with high-intensity, line-of-sight, operations.

The bill, at long last, also recognizes that cost associated with illegal immigration are a Federal responsibility. For the first time since it was authorized 7 years ago, we have included funds for the State criminal alien assistance program. This fund reimburses States for the cost of incarcerating illegal aliens. Its high time—in fact, it is past time—that we acknowledge that illegal aliens in our communities are there because of a failure of Federal law enforcement—not because local governments brought them in. And it is time our national Government help State and Local governments with these skyrocketing and budget-breaking costs.

A total of \$450 million is provided in the bill for the Byrne Formula Grant Program. This represents a 26-percent increase over last year and a 100-percent increase over the administration's request for this program. The Byrne formula grants have been of critical importance in targeting highly organized drug trafficking networks in States such as Arizona. The multijurisdictional task forces formed with funds from these grants have provided invaluable assistance in the war on crime.

Finally, this bill provides substantial funding to build more Federal prisons to keep more criminals where they belong—behind bars. There is an \$89 million increase over the administration's request and \$11 million more than last year for construction or expansion of 10 detention-prison facilities. Additionally, the bill provides \$406 million additional to activate 24 new or expanded facilities coming on-line in fiscal year 1995.

We cannot fight the war on crime without resources. This bill provides some of the resources we need to make our communities safer. As the political battles continue on the other crime bill, we can all do our constituents a great service by supporting this bill and providing real help to our communities.

□ 1300

Mr. MOLLOHAN. Mr. Speaker, I yield 2 minutes to our distinguished colleague, the gentleman from Florida [Mr. PETERSON].

Mr. PETERSON of Florida. Mr. Speaker, I thank the gentleman from West Virginia [Mr. MOLLOHAN] for yielding this time to me, and I rise in strong support of this conference report, and I want to congratulate Chairman MOLLOHAN and the ranking member, the gentleman from Kentucky [Mr.

ROGERS], for doing what I think is a remarkable job on a very, very complex bill with a tight budget; in fact, having to make some very tough priorities. I want to address on area in this bill. There is a lot to like in this bill. But I want to talk about disaster assistance.

My district, as well as many others in the southeast United States, particularly in Georgia, particularly in Florida, particularly in Alabama, and now, as it looks, South Carolina, North Carolina, and Virginia; we have major disaster needs that have to be met, and in that we have to recognize that the SBA ran out of money, as I understand it, last night. This bill is absolutely important to the recovery of those areas of the United States.

Just for some statistics: There were 33 deaths in Georgia, Alabama, and Florida; declared disaster counties, 43 in Georgia, 13 in Florida, and 10 in Alabama, just from Alberto, and now we are going back through and having to deal with the remnants of the disaster created by Beryl just last week. So, we are in a position of having to go through a rebuild.

I think it would be an absolute disaster, a second disaster, if we fail to put money in for SBA so they can help families suffering from the problems of these disasters, if we cannot get in the help them now. So, I urge my colleagues to declare this an emergency, declare this conference report an emergency for passage, and to work to make our constituents have a package where they can, in fact, recover, and in closing let me say my Governor of the State of Florida has very well made a statement about the problems we have in the moneys available in the emergency immigration fund. This bill contains \$75 million that will help States like Florida, Texas, and California deal with the problems we have in that area as well.

Mr. ROGERS. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina [Mr. TAYLOR], another hard working member of our subcommittee who has been of great importance to us.

Mr. TAYLOR of North Carolina. Mr. Speaker, I would like to comment, first of all, on the hard work our chairman did in the very responsible effort in this legislation and our ranking member, the gentleman from Kentucky [Mr. ROGERS]. There are some things inside this legislation with which I cannot agree, but I do plan to support the bill and find a great majority of it supportable by me.

There is something amazing about to happen in this country, and I think we are taking a very serious step forward in combating crime in this country with little notice by the media or the people.

This step forward has been crafted in a bipartisan fashion by both Democrats and Republicans in the House and Senate that serve on the Commerce, State,

Justice, and the Judiciary Appropriations Subcommittee.

The efforts we are making against crime are real and substantive insofar as Congress can make those efforts.

This conference report does not reduce funding for the Drug Enforcement Agency as the President wanted.

This conference report does not cut the FBI as the President wanted.

This conference report does not abolish capital punishment as the President wanted in his crime bill.

This bill does not eliminate the millions of dollars of support for local law enforcement efforts that comes from the Edward Byrne Formula Grant Program as the President's crime bill would.

This report will not release 16,000 drug pushers from Federal prison as the President's crime bill desires.

This report will not abolish mandatory minimum sentences for drug kingpins as the President's crime bill does.

This report does not weaken our second amendment rights with an "assault weapons" provisions that the police benevolent association in my State called "phoney." They know, as does a respected Member of this House, LEE HAMILTON, that real assault weapons are responsible for very few of the crimes in the country.

Many people recognize that the President's crime bill would list hundreds of sport guns as "assault weapons" even though few people would think of these guns as that today.

This report does not abolish mandatory sentences for the commission of a crime with a gun as this administration desires.

This report does not contain the "pork, posturing, and partisanship" of the President's crime bill, not even \$10 million to selected colleges or universities.

What this report does do is increase funding for the FBI. It will allow the hiring of 400 new FBI agents, and the transfer of some 600 desk agents to the field.

This report increases funding for the DEA. The appropriation will allow the DEA to hire 300 new agents.

The increased funding for the FBI and DEA will allow them to hire up to their 1992 levels, making them more effective crime fighting tools.

This reporting increases funding for almost all areas within the Justice Department and the judiciary, from the U.S. Marshals Service to the courts of appeals, district courts, and other judicial services.

This report provides funds to activate 11 new or expanded prison facilities.

This report expands the Edward Byrne Formula Grant Program, which provides \$450 million in assistance to State and local law enforcement agencies.

Programs funded by the Byrne Program include State and local prosecu-

tion initiatives; innovative programs that attack drug use and violent crime; and multijurisdictional programs, an example being State and local police officers working with State troopers.

The Byrne Program was targeted for elimination by the administration, but local law enforcement officers from all over the country and Members of Congress rallied in support of this Program because it's effective in fighting crime.

We not only continued the Program, but expanded its funding levels.

We also include \$54.5 million for new Border Patrol agents.

This money will allow the Border Patrol to hire 700 new agents and transfer an additional 200 agents from their desks to the field. It also calls for the hiring of added support personnel.

This increased funding allows the Border Patrol to implement the same strategy in place in El Paso along the entire United States-Mexico border.

In El Paso, agents are stationed within eyesight of each other and keep a continuous watch on 20 miles of river and desert. It makes it extremely difficult to cross illegally without being spotted and few bother to try.

In addition to the Border Patrol increases, this report appropriates \$130 million in assistance to the States to offset their high costs in jailing illegal aliens.

This report also includes \$24.5 million for bootcamps, which keeps lesser offenders off the streets and our prisons less crowded.

We include \$29 million for drug courts, permitting the swifter trials of drug offenders.

The report includes \$26 million to combat violence against women, which will support battered women's shelters, promote rape-awareness education and establish a national family violence hotline.

In sum, Mr. Speaker, this conference report spends over \$15 billion for crime prevention and the judiciary.

In prioritizing the needs and addressing the concerns of the people across this country and Members of Congress, we decided in a bipartisan manner not to fund the social spending initiatives that the President has promoted.

These include proposals that have been criticized on a bipartisan basis—like midnight basketball, interpretive dance classes, arts and crafts, and the like.

We had to go with proven methods of crime fighting and crime deterrence, and I believe we did the best possible job.

I urge the Members to support this legislation.

□ 1310

Mr. MOLLOHAN. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Colorado [Mr. SKAGGS], a distinguished and hard-working member of our subcommittee.

Mr. SKAGGS. Mr. Speaker, this was the subcommittee's first year under the direction of Chairman MOLLOHAN. I would like to commend him for his leadership in working with the Senate to produce a report that provides funding for the country's crime-fighting, economic development, diplomatic, and myriad other needs under very tight budgetary constraints. Chairman MOLLOHAN deserves the appreciation of this House, and this report deserves its support. I also want to recognize the great and positive contributions of the gentleman from Kentucky [Mr. Rogers].

This conference report appropriates \$26.9 billion for fiscal year 1995. That's an increase of \$3.1 billion over last year. Most of that increase—\$2.3 billion—is targeted to fund programs created under the proposed Violent Crime and Law Enforcement Act, the crime bill which I hope we will pass later this week. This increase notwithstanding, the bill is \$900 million less than the administration requested.

One area in which I wanted to make further cost cuts was our broadcasts to Cuba. Our subcommittee had ended all funding for TV Marti. That decision was based on the results of an independent panel report which concluded that TV Marti is not being seen in Cuba. The conference, however, decided to provide \$11.395 million for the program and included an extra \$1.2 million to convert the broadcast from VHF to UHF, funds that were not even requested by the administration.

A year ago we set up a process that was intended to develop an objective basis for an assessment of TV Marti by the Director of USIA. We said then that TV Marti was to be kept on the air only if it was "consistently being received by a sufficient audience to warrant its continuation." The panel we authorized to examine the issue found that TV Marti was not getting through. "The Panel is able to state categorically that at present TV Marti's broadcasts are not consistently received by a substantial number of Cubans \*\*\*. Whatever TV Marti's shortcomings, they are negligible compared to its inability to reach its intended audience." (Advisory Panel Report, p. 5.) The Panel also cited a survey conducted by the U.S. Interests Section in Havana late last year, which revealed "an unprompted viewing rate for TV Marti of zero and a prompted rate of four percent." (Advisory Panel Report, Appendix J.) By comparison, CNN had a better unprompted rate of 1 percent.

A reasonable person might have thought that the combination of these facts and the legal requirement in last year's conference report would produce a logical conclusion: shut down TV Marti and save \$10 or \$15 million a year. Amazingly, the Director of USIA chose to charge ahead, ignoring the fact that, for all practical purposes, TV



Marti has no viewing audience. I can only describe his decision as one in willful disregard of the facts and the law, and we should not be endorsing it. Sadly, the Senate did endorse it, and it has survived in conference.

Despite its own findings about viewing audience, the advisory panel went beyond what we authorized them to do and came up with the notion that it might help break through Castro's jamming if TV Marti switched from a VHF signal to UHF. Technical experts at the National Association of Broadcasters, Maximum Service Television, and the FCC have examined that idea and found it seriously defective. A UHF signal would actually degrade more than VHF over the distance involved, especially given the over-ocean atmospherics, and the technical means for jamming UHF are simpler and cheaper than VHF. Nonetheless, we are faced with a Senate bill that not only continues TV Marti, but increases funding for it, including money for the ill-conceived UHF option.

The argument is now offered up that, even though TV Marti is a technical flop and a no-show in the ratings, we must keep it on the air. To show the people of Cuba we care; to deny Castro what he would claim as a propaganda victory, and to have it available for our message when the inevitable overthrow of Castro occurs. Well, I think the Government is, and will continue, doing plenty to demonstrate that it cares about freedom in Cuba, even without TV Marti. We cannot afford to waste millions of tax dollars on empty symbolism. And it is clear from the U.S. interests section's own survey that the Cuban people have a wide range of alternative media and information sources available to them, including Radio Marti, which we can exploit when the time comes. So, these arguments for continuing TV Marti, notwithstanding the fact that nobody sees it, are unconvincing, to say the least.

The decision to go forward with TV Marti is a loss to the American taxpayers.

Even with this glaring defect, this bill is a good one overall, and I urge my colleagues to support it.

The House conferees were successful, however, in retaining provisions on improving where and how resources are spent in our operations abroad. Included in the conference report is language I authored directing the State Department to prepare a pilot program for colocating support services for U.S. missions overseas. Such a joint administrative operation already exists in Vienna, where one main center serves the various missions headquartered there, including the U.S. missions to the International Atomic Energy Agency and the Commission on Security and Cooperation in Europe. The result of replicating the Vienna model on a regional level will be increased effi-

ciency and reduced expenses in future fiscal years.

We were also successful in improving the way in which we invest in our most important science and technology programs. Despite working under very tight spending caps, by being smarter in the way we allocate resources we were able to increase investment in important Department of Commerce research programs that are key to ensuring a strong and competitive economy in the future. Improving operations is critical to the success of the National Oceanic and Atmospheric Administration [NOAA], the National Institute of Standards and Technology [NIST], and the National Telecommunications and Information Administration [NTIA]. Many of these initiatives will help revitalize the American economy and improve the environment for generations to come.

I'm also pleased that we were able to restore funding for the Wind Profiler Demonstration Network, a network which NOAA has called an unqualified success. We've seen the human and economic costs of unexpected severe weather phenomena. It strikes me as unwise to shut down a system that's providing vital and accurate forecasting information.

The conference also provided a funding increase for NIST's Scientific and Technical Research Program, which represents NIST's core research function. This, coupled with an increase in funding for the Industrial Technology Services Program, will allow NIST to fund more of the research necessary to improve American industries' global competitiveness.

Funding for NTIA is vital to support the administration's efforts to help develop an information superhighway. NTIA is the lead agency working to make the information superhighway a reality. Our support for NTIA in this report will go a long way to making up for a decade of neglect of public telecommunication facilities.

We've also made critical investments in some basic programs that matter to every American every day. To answer the call for safer streets, we increased funding for three of the four Department of Justice programs that fight crime: the Federal Bureau of Investigation, the Drug Enforcement Administration, the Immigration and Naturalization Service, and Organized Crime Drug Enforcement. This means more agents in the field. These law-enforcement agencies are the backbone of the Federal anticrime effort. Their work bolsters State and local crime fighting efforts which increasingly have to extend beyond city and State lines.

Another thing we've done to assist local law enforcement is to enhance funding for the Edward Byrne Memorial Formula Grant Program. Byrne grants have proven a valuable resource

for State law enforcement programs, such as drug and alcohol treatment and programs to divert youth away from criminal activities. The conference report includes \$450 million for this valuable program. That's almost \$100 million more than in fiscal year 1994, it will make a real difference in the ability of police departments to fight crime. For instance, in 1995 Colorado will receive \$6.326 million in Byrne grants, an increase of more than \$1 million over 1994 funding. That is a positive step in our fight against crime.

The report also includes funding for the National Institute of Corrections [NIC], which is located in Longmont, CO. The NIC is the national center where State correction departments can turn to for information on how to make their operations more efficient and cost-effective, and I am glad we were able to provide the funding they need to continue their excellent work.

I'd also like to say a little about funding for the Legal Services Corporation [LSC]. The \$415 million included in the conference report is far less than LSC's \$500 million request—and far less than it needs. One of the basic principles of our system of justice is that every American is entitled to a fair hearing in a court of law, and we have an obligation to provide legal representation to those who cannot afford it. The poor are entitled competent representation, and this is important in civil cases as it is in criminal. The LSC is an essential part of the effort to provide this assistance. I support their efforts, and I hope we will be able to provide more resources for this valuable program in the future.

In sum, Mr. Speaker, this conference report strikes a sound and realistic balance between needs and resources in the many important areas of responsibility and programs in the subcommittee's jurisdiction. I urge its adoption. And, once again, I thank the chairman for his excellent work.

Mr. ROGERS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Maryland [Mrs. BENTLEY] a member of the full committee and a Member who has made an historic effort in obtaining the Radio Free Asia moneys, which are now in this bill, due to a great effort by the gentlewoman from Maryland.

Mrs. BENTLEY. Mr. Speaker, I want to thank my distinguished colleague, the gentleman from Kentucky [Mr. ROGERS], the ranking minority Member on this committee, for yielding time, and for his leadership on the report. I would be remiss if I did not commend the leadership of the gentleman from West Virginia [Mr. MOLLOHAN] as chairman of the subcommittee in very recent times.

Mr. Speaker, I rise in support of the conference report on the fiscal year 1995 Commerce-Justice-State appropriations bill. Specifically, I want to

draw Members attention to the fact that this bill provides first time funding for a Radio Free Asia broadcast service that is long overdue.

For decades, we successfully operated a Radio Free Europe and Radio Liberty service for Eastern Europe and the former Soviet Union. Through this service, we provided the truth to millions and millions of people who routinely were denied accurate information by their governments. There is no question that our radio broadcasts helped precipitate the downfall of the Iron Curtain and its Berlin Wall.

Unfortunately, for too long, we have been behind the curve in terms of targeting radio broadcasts to many critical regions of Asia where information is monopolized by regimes intent on keeping their citizens in the dark—in China, Burma, Vietnam, North Korea, Cambodia, Tibet, and Laos. Our international radio broadcasting is cost effective and is a very important tool in our diplomatic arsenal.

I would be remiss if I neglected to mention my disappointment that a Radio Free Asia broadcast service was not established several years ago because valuable time has slipped away. However, the important thing is that we are on the right track with this bill here today. The next important step in the process will rest with decisions made by the new Broadcasting Board of Governors and it is my hope that the appointment of these new members will receive priority attention from the White House, which supports the Radio Free Asia effort. I urge a "yes" vote.

Mr. MOLLOHAN. Mr. Speaker, I yield myself such time as I may consume for two colloquies.

Mr. Speaker, I yield to the gentleman from Texas [Mr. ORTIZ] for a colloquy.

Mr. ORTIZ. Mr. Speaker, I rise to enter into a colloquy with the distinguished chairman of the Subcommittee on Commerce, Justice, State, and Judiciary.

Mr. Speaker, it is my understanding that if funds become available through limiting the National Undersea Research Program's national office duties to oversight of the regional centers and continuation of the Alvin Program, and if it is determined that it is feasible to establish an undersea research center in the Gulf of Mexico, then some of these savings may be used to fund such a center in the Gulf of Mexico.

Mr. MOLLOHAN. Yes, that is my understanding, consistent with the 1992 NOAA Authorization Act.

Mr. Speaker, I yield to the distinguished gentleman from New York [Mr. HOCHBRUECKNER].

Mr. HOCHBRUECKNER. Mr. Chairman, the conference report provides NOAA \$4.1 million out of the CZM fund for program support. Is it your view that this is an adequate amount for NOAA/OCRM administrative funding needs?

Mr. MOLLOHAN. Yes, it is.

Mr. HOCHBRUECKNER. So, in your view, it would be inappropriate for NOAA or OCRM to take any further administrative deduction out of the CZM fund in fiscal year 1995?

Mr. MOLLOHAN. Yes.

Mr. Speaker, I yield 1 minute to the distinguished gentleman from Florida [Mr. DEUTSCH], a very active freshman Member.

Mr. DEUTSCH. Mr. Speaker, I rise today in support of the conference committee report, and particularly praise the conference committee for the funding of Radio and TV Marti. Today, south Florida, my district in particular, is threatened by actions that Castro is taking in Cuba. I think we are in a position today where we are ready for those actions, and part of the reason for that is because of Radio and TV Marti.

Castro has been killing his own people. We know that from other independent sources. And the people of Cuba know that because of Radio Marti. It is the most-listened-to station in Cuba today. We have factual, definite information about that.

Castro is an anachronism in this world today, an anachronism of a cold war era that does not exist except for 90 miles off our shore and in very limited places in the world. Both in the present and the future, it is a needed cause that I support, and praise the conferees for including it in the final report.

Mr. ROGERS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Kansas [Mrs. MEYERS], the very able and helpful ranking member on the Committee on Small Business.

Mrs. MEYERS of Kansas. Mr. Speaker, I would like to thank the ranking member for yielding, because I will be speaking against this bill.

There is \$27 million in totally unauthorized spending in this bill. Now, is this all pork? I do not know. Probably most of it is. Or, if some of it is good programs, it certainly should be local programs and not federally funded programs.

The unconscionable part of this and the reason I am calling attention to the Members, is that this is rolled in with really essential spending. There is an extension of SBA disaster spending in here. It is the entire SBA budget.

□ 1320

This unauthorized spending is 15 percent of our salaries and expenses budget and 5 percent of our total budget. And it is totally unauthorized. I am probably not going to end this practice by calling attention to it today, but I would like to mention just one or two of these programs and see what they sound like to Members.

There is \$500,000 for the Van Emmons Population Analysis Center in Pennsylvania; \$1 million for the city of

Prestonberg, KY, that is about the only explanation I have of that. There is \$1.5 million for what is called a consortium in Buffalo, NY. There is a program in Bowling Green that would change garbage to a marketable product. And there is \$500,000 for the New York City Public Library for construction.

There is \$250,000 for the city of Espanola in New Mexico for a plaza of some sort.

I would urge Members to vote their conscience on this bill. It is a big bill. It is Commerce, State, Justice, all independent agencies. There is probably some good crime provisions in this bill. But I think personally I am going to vote "no" on this bill, because sooner or later, we have to begin to take a stand on unauthorized spending where nobody knows what it is for.

Mr. MOLLOHAN. Mr. Speaker, I reserve the balance of my time.

Mr. ROGERS. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. DIAZ-BALART], a Member who has done more for TV and Radio Marti than most anybody I can think of.

Mr. DIAZ-BALART. Mr. Speaker, I thank the gentleman and commend him as well as the gentleman from West Virginia [Mr. MOLLOHAN] for their expert leadership on the multiple issues involved in this very positive legislation that is before the Congress in final form today.

I want to join my colleague, also from south Florida [Mr. DEUTSCH] who spoke earlier, commending the conference committee for having included full funding for radio and television broadcasting to Cuba. I think it is, especially at these times, in these times, more than ever, it is important to continue to inform the Cuban people about what is going on within their unfortunate and distressed island. It is important to be able to improve the technological ability of Television Marti, to penetrate Castro's jamming and reach a higher percentage of viewership in Cuba.

As the report of the panel created by this Congress just a year ago stated, it can be done. I am pleased that within this bill there is funding for the necessary technological, technical conversions required to significantly increase the television viewership of this program, as well as to maintain, of course, the overwhelming radio audience that our broadcasting has. At this time when it is so important to tell the Cuban people how unsafe it is to cross the Florida Straits, it is important also to let them know that they should maintain their hope that better times are coming, that freedom will soon arrive. And so these programs, now more than ever, are critical. And I commend the conference committee for having included them in this important and very positive conference committee report.

Mr. MOLLOHAN. Mr. Speaker, I yield 2 minutes to the distinguished



gentleman from New Jersey [Mr. MENENDEZ].

Mr. MENENDEZ. Mr. Speaker, I would like to thank the chairman for yielding the time to me and also for his work.

I rise in support of the Commerce, State, and Justice conference report.

Like my colleague from Florida, I am particularly happy to see that we have not undone an investment that we have made in surrogate broadcasting to the people of Cuba. At this point in time in history, it would be the worst possible decision we could have made. As we face the possibility of Castro's unraveling in these final chapters, as we look at the question of communicating to the people of Cuba as it relates to the dangers of crossing the Florida straits, as it relates to these very same debates for which we have honest disagreements on this issue, as it relates to the tens of thousands of people 2 weeks ago who rose up in Havana against the Castro government, to communicate with the rest of the people on the island, this is the time, however, to take care of some of the concerns and to use our technology either through a C-130, through our satellite transmissions, through our ship-to-shore transmissions, by raising the level of technology of television Marti so that that investment can reach all of the people on the island of Cuba.

If we were able to do that, then, in fact, our investment would pay off, our investment in opening up a window for the people of Cuba who have a very closed society. That is what is at stake here. This time shows us how important it is to have such an opportunity to transmit to the people of Cuba. That is why it is very important that we include it in the conference report.

I think it is the right thing to do. We have now got to use our ability to transmit to permeate throughout the island.

I also want to thank the chairman for his work with us on Hispanic recruitment in the State Department. We have one of the worst records of any Federal department. I think we have made some efforts to bring that along.

Mr. ROGERS. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WALKER], the very able ranking Republican on the Committee on Science, Space, and Technology.

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding time to me.

I must admit that as I went down through this bill I became concerned about the same things that we have been raising with regard to the crime bill, and that is that there are so many things down in here that are particular projects that my have individual merit but, in many cases, are absolutely unauthorized and the money should not be spent.

For instance, in the SBA section of the bill, we find \$750,000 for the North

Carolina Biotechnology Center. We find \$500,000 for a population analysis center in Towanda, PA. We find \$1 million for the city of Prestonberg, KY. We find \$375,000 for the Nebraska Micro Enterprise Initiative. We find \$3 million for the National Center for Genome Resources in New Mexico, \$1 billion for the Genesis Small Business Incubator Facility in Fayetteville, AR; \$500,000 for the SBIR in Bozeman, MT; \$1 million for the Center for Entrepreneurial Opportunity in Greensburg, PA.

I have just read 8 of the 25 unauthorized projects. It is not just in that section of the bill.

If we go into another section of the bill that covers NOAA, we find things like \$2.5 million for a grant to Kansas City, MO, for the development of a weather and environment information and demonstration center; \$1 million to Mystic Seaport; \$3.5 million for a multispecies aquaculture center in the State of New Jersey; \$2 million for the construction of the Massachusetts Biotechnology Research Institute in Boston; \$5.2 million for the Center for Interdisciplinary Research and Education in Indiana; \$11 million for the construction of the Interagency Estuarine Habitats Research Laboratory in Lafayette, LA; \$2.6 million for the Marine Science Center in Newport, OR; \$7.5 million for the National Marine Fisheries Service Southeastern Laboratory; \$980,000 for an estuarine reserve in South Carolina.

If Members flip the page over, they find \$1 million for a grant to the Emerging Technologies Institute in Sacramento, CA; \$930,000 for a grant in the Michigan Biotechnology Institute, and many, many more.

This is a problem down in these bills. It ought to be cured. It was not cured in this report.

□ 1330

Mr. MOLLOHAN. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from New Jersey [Mr. HUGHES], the distinguished chairman of the Subcommittee on Intellectual Property and Judicial Administration of the Committee on the Judiciary.

Mr. HUGHES. Mr. Speaker, first I want to thank the distinguished gentleman from West Virginia [Mr. MOLLOHAN] for yielding me some time.

I want to congratulate him, I think HAL ROGERS said it best, on his maiden voyage on the conference report, and I know this is the first of many that the gentleman will usher through the Congress in the years ahead. I congratulate him, and also the gentleman from Kentucky [Mr. ROGERS] and their committees and staffs on a very fine conference report.

Frankly, I have heard the bill described over and over again today as being a good crime bill, but it is broader than that. There are a lot of provisions

in here that I think show the kind of balance and the kind of thought that has come out of this particular appropriations subcommittee for many years.

In fact, if all the committees of the Congress worked together in a bipartisan fashion like this particular Committee on Appropriations does, we would probably have better legislation. We might have a little more comity around here, and we would certainly get a lot more done. I think that is what our constituents expect of us.

I am lucky, because I chair a subcommittee where I have that kind of a relationship with my ranking Republican. We are full partners, and we get a lot of things done. I am talking about the gentleman from California [Mr. MOORHEAD].

This is a good bill for a lot of reasons. This subcommittee takes a great deal of time in taking testimony, probably as much as any subcommittee, because it deals with some very, very important issues, not just in Justice and in the State Department and in Commerce and in the Judiciary, and in some of the independent agencies, but because it also has so many provisions that are very important.

The reason why this bill enjoys so much support is because the allocation this subcommittee received was not very generous this year, so you had very narrow limits to walk. You have done an excellent job in providing in all subject areas.

In the area of crime control and law enforcement, I think it has been mentioned over and over again, \$1.3 billion for community policing. This is real money; it is going to enable us to put policemen on the street to do the kind of community policing that all law enforcement agencies across the country have told us we need.

The Byrne formula grant program, you have all heard from your prosecutors. This is one of their priorities because it is a program that works.

I was a prosecutor for some 10 years, and frankly, I would like to have had the kind of resources we are providing for local law enforcement in the Byrne grant program. It works because it enables them to put together the task force operations to deal with drug problems in their communities. They are able to get all kinds of good, hard intelligence because of the Byrne formula grant programs.

Mr. Speaker, the immigration initiative, there is \$284 million in there for immigration. I do not have to tell the Members, immigration unfortunately is chaotic. It is out of control. We have not done a good enough job, not just at the southern border, but we have not done a good enough job in bringing the Immigration Service into the 20th century, let alone the 21st century, in providing the kind of data we need to track aliens who are in this country.

We do not have that capacity. We need to provide more resources.

Mr. Speaker, upgrading of criminal history records, \$100 million. We have heard over and over again how we have to turn criminal history records over quicker than we do. The FBI is backlogged. Many of their records, tens of thousands of their records, are not automated. This \$100 million will enable us to upgrade our criminal history record system. That is something that we have not done.

The moneys, the \$130 million for the criminal alien assistance program for the States, is desperately needed in many parts of the country, particularly the southern border, in Florida, and in California. It is out of control. Those States are saddled with humongous bills because of the immigration problems.

The disaster assistance in the bill is essential. Moneys for the State Department, their peacekeeping operations, is needed, and it provides that.

It is a good bill, Mr. Speaker. I congratulate my colleagues on bringing an excellent bill from conference. I urge my colleagues to support it.

Mr. ROGERS. Mr. Speaker, I yield 2 minutes to the gentleman from New Mexico [Mr. SCHIFF].

Mr. SCHIFF. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, like other Members, there are some provisions of this bill with which I do not agree, but I think the overwhelming majority of provisions are so positive and so beneficial that I intend to vote for this conference report, and I urge my colleagues to vote for it, also.

I particularly want to congratulate the gentleman from West Virginia [Mr. MOLLOHAN], the gentleman from Kentucky [Mr. ROGERS], the ranking member; and all the members of the subcommittee and the House and the Senate conferees for dealing appropriately with law enforcement appropriations.

Mr. Speaker, the House of Representatives, when we took up the bill originally, already addressed the issue of the administration's proposal to reduce the staffing at the Federal Bureau of Investigation and the Drug Enforcement Administration. I am pleased that on a bipartisan basis the House of Representatives rejected that idea, and in fact increased those two agencies.

There was, however, in the original House bill one issue with which I had a disagreement. That dealt with the United States Attorneys' offices. These are the front line Federal prosecutors against violent and other criminal activity.

Although the House recommended an increase for the U.S. attorneys, it was so small as I felt to be negligible, and I do believe that we will pass a crime bill this year. I believe that we have to have the resources in the U.S. attorney's offices to implement that crime bill.

Mr. Speaker, I proposed an amendment on the House floor to increase the U.S. attorneys by simultaneously reducing some of the increase in the Antitrust Division; not lowering the Antitrust Division, but not increasing them as much as in the House proposal.

Mr. Speaker, that amendment was rejected by my colleagues because they wanted to increase, as recommended, the Antitrust Division. The conference committee was able, with a judicious use of funds, to both give an increase to the U.S. attorneys of \$9 million over the original House recommendation and to increase the Antitrust Division.

Mr. Speaker, I support both of those actions, and I urge a yes vote on the conference report.

The SPEAKER pro tempore. The Chair would like to inform the managers that the gentleman from West Virginia [Mr. MOLLOHAN] has 3 minutes remaining, and the gentleman from Kentucky [Mr. ROGERS] has 4 minutes remaining.

Mr. MOLLOHAN. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from North Carolina [Mr. PRICE], a very distinguished, hard-working member of our subcommittee.

Mr. PRICE of North Carolina. Mr. Speaker, I thank the gentleman for yielding time to me. I want to add my words of commendation and praise for the chairman for his successful work during this, his first year at the helm of the subcommittee, and also for the gentleman from Kentucky [Mr. ROGERS], our ranking minority member.

This is a good bill. It is a model of bipartisan cooperation. I only wish we had this kind of bipartisan cooperation on more of our authorization bills, including the omnibus crime bill now awaiting final action.

As many speakers have stressed, in many ways this appropriations measure is a downpayment on that crime bill. It will get us off to a good start on the prevention, policing, and punishment efforts that are going to be required to make our communities safe again.

This bill, of course, contains funding for many Federal departments, including high priority research, development, and technology transfer programs in the Commerce Department, and the work of the Small Business Administration, now revitalized under the leadership of Erskin Bowles. But our focus this year has been especially on the plague of crime and violence in our country.

In this bill we are making a significant start on community policing, on the upgrading of criminal history records, so that local law enforcement has access to good information when they pick up someone, and on immigration initiatives such as controlling the borders, expedited deportation, and enhanced asylum processing.

Byrne formula grants and increased by 26 percent. I just had a meeting 2

weeks ago with the three sheriffs in my district. All of them said "Go to Washington, pass the crime bill, and pass the funding bill, so we are assured of continued support for local law enforcement from the Byrne fund."

This is a good bill, Mr. Speaker, a practical, well-crafted bill that will make a great deal of difference in our communities. I urge its adoption.

Mr. ROGERS. Mr. Speaker, may I inquire as to the time remaining on each side?

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. ROGERS] has 4 minutes remaining, and the gentleman from West Virginia [Mr. MOLLOHAN] has 2 minutes remaining.

Mr. ROGERS. Mr. Speaker, I yield 2 minutes to a very effective spokesman who has been one of the major defenders of Radio and TV Marti, the gentleman from Florida [Ms. ROSELEHTINEN].

Ms. ROSELEHTINEN. Mr. Speaker, the inclusion of funding for Radio and TV Marti is very pertinent given the recent dramatic events occurring in Cuba. Over the last few weeks, the Cuban people have begun to openly show their great discontent and disgust with the cruel Dictator, Fidel Castro, and have exhibited thirst for freedom as they have taken to the streets to condemn the continuous repression they are subjected to by the Castro regime.

Cries of "Libertad, Libertad" were heard in many parts of Cuba in the past days.

No longer are the Cuban people frightened or intimidated by the tyrants' threats to use whatever means necessary to keep them enslaved. Instead, the Cuban people are risking life and limb to achieve their goal of freedom and democracy.

This is why Radio and TV Marti are so important. Because they bring to the Cuban people the truth about the situation on the island and the violations of human rights that the people in Cuba are subjected to.

When the Castro regime blamed the United States for the death of more than 30 people after the sinking of the tugboat "13 De Marzo," it was Radio and TV Marti which carried the truth to the island interviewing survivors who told of the Cuban authorities merciless attack against the fleeing refugees, mostly women and children.

□ 1340

It is Radio and TV Marti which told the Cuban people of the mass demonstrations in Havana where the people demanded freedom, liberty and justice.

Mr. Speaker, I thank the conferees for fighting to restore those funds for TV and Radio Marti and for getting them in the bill.

Mr. MOLLOHAN. Mr. Speaker, I yield 30 seconds to the gentleman from New York [Mr. SERRANO] a distinguished member of our committee.



Mr. SERRANO. Briefly, Mr. Speaker, I think it is very interesting to hear people say that we need Radio Marti now to send a message to Cubans to stay home. For years, Radio Marti has been the number one culprit in asking Cubans to rebel and to come here. Radio Marti is as responsible for the tragedy that is taking place in the Florida straits as is the Government of Cuba.

Mr. ROGERS. Mr. Speaker, I yield 1 minute to the gentleman from New Hampshire [Mr. ZELIFF].

Mr. ZELIFF. Mr. Speaker, in spite of the many good things we have heard so far about this report, I rise in opposition to the conference report. In particular I am opposed to the \$27 million in specific earmarked pork-barrel spending appearing under the Small Business Administration budget. This represents over 4 percent of the total SBA budget for fiscal year 1995. In addition to this \$27 million, the SBA budget also contains one of the biggest cases of wasteful spending, the tree planting program, another \$15 million in unauthorized spending that no one even saw fit to mention at the many hearings in the markup of the Small Business Reauthorization Act. Those who supported this pork knew it would not pass in committee so they had the appropriators do their dirty work.

What in the world are we trying to do? Why are we wasting these resources? Tree planting is even more outrageous considering we just had to authorize emergency spending to keep the SBA from running out of money. We are always short on loan funds, disaster funds, and all types of funds, but we never seem to run out of pork.

Mr. Speaker, I oppose this bill, I oppose this process. I oppose the betrayal of taxpayers in the small business community. What does it take for us to wake up and start listening to the people we represent? This is why we need an A-to-Z process to get rid of waste and inefficiency in Government spending.

Mr. ROGERS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this is a good bill. It is strong in law enforcement. It may be the only crime bill that Members have a chance to vote for this year. I certainly hope it is. But it does strengthen the FBI, it restores the FBI to the 1992 levels, which was the highest ever. It restores the DEA to the 1992 levels, which was the highest ever. There is money in here for new prisons. We are going to open up several of them this year. In fact, there are 24 new or expanded prison facilities coming on line in 1995 under this bill and we appropriate the funds for an additional 11 new or expanded prison facilities in the coming year.

There is money for the Byrne grant formula program which States and local law enforcement agencies des-

perately need. In fact, a 26-percent increase over last year, and 100 percent over the administration's request.

There is money for the first time for State criminal alien incarcerations, reimbursements to States who are using their moneys now for that purpose. There are 950 new Border Patrol agents and moneys to support them, not to mention the other items that we have heard here today. I urge a vote for the conference report.

Mr. MOLLOHAN. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. SMITH], the distinguished former chairman of our subcommittee.

Mr. SMITH of Iowa. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, first I want to congratulate the new chairman of the subcommittee and the ranking Member again. This is a very difficult bill to handle. I was just thinking as I sat here today that this is the first time in 15 years that I have not heard any discussion of Legal Services Corporation. We have finally gotten that behind us, I hope. But actually the rest of the Congress and even the country is even catching up with this subcommittee with regard to crime. A lot of people would not know it, but the big crime bill we are talking about is mostly just an authorization and the money has to be provided by this subcommittee, and the things that we do are limited by the money that this subcommittee can find. That is not true with regard to rules of evidence and penalties but as far as the money is concerned, it is provided in this bill.

Also I think I must respond briefly to the gentleman from New Hampshire. Fifteen million dollars for trees for urban areas all over the whole United States happens to be exactly the same amount of money that we provided for a computer center in New Hampshire that the gentleman did not want rescinded 3 or 4 years ago. I think trees for our children and grandchildren and great grandchildren all over the United States will do a lot more good for this country than a project in only one place such as New Hampshire.

Also this is an important bill with regard to the competitiveness in the world. This is the bill where we really provide funding to encourage private sector development of new high technology to meet world competition as the gentleman from California knows.

This is the bill where NIST was increased from \$520 million up to \$855 million. We are now centering our attention on the National Institute of Standards and Technology. We are going to go for civilian development of products; we are going to help NIST make the United States competitive in this world. We have been depending too much on the military to do this kind of research and development assuming we get some spinoff from military research and development.

Also there are expert promotion activities funded in this bill that are terribly important to this country. Also funding for the State Department is provided in the bill. I congratulate the gentleman from West Virginia and also from Kentucky for handling this bill. I think it is a very controversial bill at times, but this conference agreement is as good as could be put together this year.

Mr. HUGHES. Mr. Speaker, I rise in support of the conference report on H.R. 4603, the Commerce, Justice, State and Judiciary appropriations bill for fiscal year 1995 and to commend the distinguished chairman of the subcommittee, ALLAN MOLLOHAN and the subcommittee's ranking Republican, HAL ROGERS, on a job well done. Chairman MOLLOHAN took over the helm of this subcommittee at a very difficult and critical time this year. However he and his outstanding staff have done a yeoman's job in crafting and managing this bill.

This is an important bill that provides needed funding for a number of departments and agencies, including the Department of Justice, the Judiciary and the National Oceanographic and Atmospheric Administration. However, on this occasion, I would particularly like to point out the important funding provided in this bill for administering our Nation's fishery related programs.

As the representative of a coastal district, I know that each day brings more and more restrictions on commercial fishing. Ocean resources that we once thought were limitless are proving to be fragile. This bill provides funding that will help us perform needed research into the status of our fishery resources and ways to sustain and manage them. In order to protect our resources and still provide consumers with the fish and seafood products they demand, the bill provides funding to look at new and innovative alternatives to traditional seafood harvesting methods.

One very important alternative source of seafood is aquaculture and I am pleased that this legislation provides some \$3.5 million for construction of a multispecies aquaculture facility in New Jersey currently being developed by Rutgers University and Cumberland County College. This demonstration facility is just the type of experimental farm we need to get aquaculture moving in our State. The Rutgers-Cumberland County project will take a multispecies approach to aquaculture; that is, the facility will culture both finfish and shellfish. This unique approach is critical to support development of small-scale culture operations and larger commercial ventures. Supporters of the facility, like me, hope that culture of all these species will lead to new knowledge and developments that will continually make aquaculture a more viable business opportunity in New Jersey and elsewhere.

The lack of demonstration facilities that serve the function of experimental farms is the principal factor limiting aquaculture development in New Jersey—and in most other States. So, perhaps the most important service the Rutgers-CCC facility will perform is to act in a similar manner to a traditional agricultural extension service. In fact, that is why the Northeastern Regional Aquaculture Center is eager to see this facility completed.

The Rutgers-CCC Facility will perform outreach to help entrepreneurs set up businesses. To maintain these businesses, the facility will work to show farmers how to work with various finfish and shellfish species, to cope with diseases, and how to maintain the proper water quality. The aquaculture facility will even work with them to help market their products. These are the services that will really help to minimize the risks for private entrepreneurs and foster a healthy, thriving aquaculture industry in our State and throughout the Northeastern region.

Mr. Speaker, this is an important bill that will help people, not only in New Jersey, but throughout our Nation. I urge my colleagues to pass this measure.

Mr. FAZIO. Mr. Speaker, I rise in strong support of the conference report on H.R. 4603, the bill that funds the Commerce, Justice and State Departments, the Federal Judiciary, and related agencies for fiscal year 1995.

The conference report funds a wide variety of programs. It provides the resources for the punishment and prevention initiatives in the anticrime bill. It supplies resources for attacking the overwhelming problem of crime in our neighborhoods and communities, focusing attention and resources on the State and local levels—the front lines, where the bulk of the responsibility for responding to crime lies.

This year, the conference report includes support for the Emerging Technologies Institute [ETI] in Sacramento, CA. ETI is a non-profit consortium made up of local businesses, local colleges and universities, and McClellan Air Force Base and is designed to attract public and private sector investment to the Sacramento region in three main areas: Agricultural biotechnology; medical biotechnology; and defense dual-use technology. Local community leaders believe that ETI will be the catalyst for promoting economic development and improving international competitiveness of high-technology businesses in our region.

I am also pleased that this conference report recognizes the important work of the Economic Development Administration. In my district in northern California, the EDA has made a tremendous impact on the economic development of the region and I have been impressed with the broad support the EDA enjoys from the people who are on the front lines of economic development in the communities in my district.

I myself have worked closely with the Tri-County Economic Development Committee [TCEDC], the federally recognized Economic Development District which serves Glenn, Tehama and Butte Counties in my district, and I know the difference these programs have made in these economically distressed areas. TCEDC provides the cities and counties in this region with a wide variety of economic development services, including economic development planning, grant writing, administration of public works and technical assistance projects, management of local, State, and federally funded revolving loan funds [RLF's] and small business financing.

I am specifically pleased that the conference report recognizes the EDA's involvement in efforts underway to expand the Red Bluff, CA Community and Senior Center, a project which

could play a pivotal role in the development of the local economy. This addition would enable the community center to better attract business meetings, conventions, and seminars to the community. An expanded community center would assist the community in retaining its present jobs, help promote new jobs, and attract new businesses and industries.

Further, I support the committee's reaffirmation that there be no reductions or degradation of service at the Redding, CA Weather Service Office under the National Weather Service' modernization plan. The importance of accurate weather information for this region has far ranging implications. Plans to close the Redding weather station would seriously jeopardize interstate commerce along the Interstate 5 corridor, agricultural crops, and public safety. I support the report's direction that an independent review of the NWS plan should ensure there is adequate weather forecasting coverage in the Redding area as well as other targeted parts of the country.

The conference report also includes increased funding for the Byrne Grant Program—an initiative that is critical for our communities in California. The Byrne Program provides grants to State and local law enforcement agencies for a wide variety of programs to control violent crime and drug abuse, and to improve the criminal justice system. I first became aware of the critical role that Byrne funding plays in rural law enforcement in a meeting that I set up earlier this year between Attorney General Reno and law enforcement representatives from my district. These sheriffs and police chiefs were concerned because the administration had eliminated Byrne funding from its initial budget request.

Although Byrne funding is important to local law enforcement around the country, rural America is particularly dependent on Byrne formula grants for support for its law enforcement efforts and for its participation in Federal law enforcement assistance programs. Without this funding, the crime-fighting ability of our rural communities is greatly hampered.

I, along with my colleague from Michigan [Mr. STUPAK] introduced a sense-of-Congress amendment which was included in the House anticrime bill and is also present in the conference report for the anticrime initiative. This amendment stresses that Congress must maintain its support for Byrne formula grants and helps ensure that rural communities do not lose ground as the rest of the country moves forward on new anticrime strategies. The amendment puts Congress firmly on record that, as we attempt to attack crime in the cities and suburbs throughout America, rural communities do not get left behind.

As a result of this and similar efforts by other Members, the conference report for the Commerce/Justice/State appropriations bill provides \$450 million—a 26-percent increase over fiscal year 1994—for the nationwide Byrne Program. These resources are vital for my State, which traditionally receives roughly 10 percent of these funds and therefore stands to get about \$45 million of this money. Equally important is the fact that approximately 60 percent—or \$27 million—of California's allocation will be passed through to our local jurisdictions.

The conference report also includes increased funding for the Immigration and Natu-

ralization Service [INS] for additional Border Patrol agents, improved border control capabilities, and improved deportation and asylum processing.

Funds in this bill will also be used for reimbursement to State and local governments for the costs of criminals who are in this country illegally, have been convicted of a felony, and are being incarcerated at State and local expense. It is estimated that approximately 40 percent—or \$52 million—of the \$130 million provided for these costs will go to our State. This is the first time that these funds, though authorized, have ever been appropriated.

The programs funded in this conference report safeguard our children, neighborhoods, and communities, and preserve our resources. They protect our industries, both locally and globally, and help us maintain our position as an international leader—economically, socially, and politically. Mr. Speaker, I urge my colleagues on both sides of the aisle to vote for maintaining our quality of life to and support final passage of this conference report.

Ms. SNOWE. Mr. Speaker, there are many admirable provisions in the fiscal year 1995 appropriations conference report for the Departments of Commerce, Justice, State and the Judiciary. I would like to highlight for my colleagues, however, the fact that the conferees dropped a Senate provision from the conference report that was virtually identical to legislation, H.R. 2730, I originally introduced last year in the House. This bill, which has been bottled up in the Judiciary Committee, would deny U.S. visas to known members of terrorist organizations unless a high foreign policy decision is made on a case-by-case basis to grants such a visa.

In opposing this Senate amendment, offered by the distinguished Senator from Colorado [Mr. BROWN], the conferees chose to continue the current outrageous practice of putting American lives at risk in deference to some imagined right of foreign terrorists to travel freely to and within the United States. Under current law, a visa can be denied to a known member of a terrorist organization only if the United States has compelling evidence that the individual was personally involved in a past terrorist act or if it is known that the person is coming to the United States to conduct such an act.

Mr. Speaker, some of the appropriations conferees may try to argue that this action was taken to avoid legislating on an appropriations bill. That might be a reasonable argument if this appropriations conference report were otherwise devoid of such items. But it is not.

Nor can the conferees argue that my legislation could not be included in the conference report due to the jurisdictional claim of the Judiciary Committee. I have two comments on this. First, if the Judiciary Committee would move its own immigration reform legislation it would never have been necessary to use a non-Judiciary Committee bill to get enacted this urgently-needed change in law to protect the American people. Second, the chairman of the Judiciary Committee did, ultimately, agree to allow some legislative provisions under his committee's jurisdiction to remain in this bill. Once the Democrat members of the Judiciary Committee agreed to this, they could no



longer make a procedural argument against my legislative provision. They could only legitimately make an argument against my legislation on substance, an argument that I am certain would fail to convince most Members of this body, much less the American people.

I discovered this dangerous loophole in our immigration laws last year during my investigation of the State Department failures that allowed the radical Egyptian cleric, Sheikh Omar Abdel Rahman, to travel to and reside in the United States since 1990. Sheikh Rahman is the spiritual leader of Egypt's terrorist Islamic Group. His followers have been convicted for the 1993 bombing of the World Trade Centers in New York, and the Sheikh himself is set to go on trial soon for his alleged role in planning and approving terrorist acts in the United States.

Earlier this year, I also found out that the State Department has in the past used this legal loophole to grant a visa to Tunisia's Sheikh Rashid el-Ghanoushi, the convicted leader of the Islamic fundamentalist terrorist organization Ennadha. At this very moment, the State Department is considering a new visa request by Sheikh Ghanoushi. A letter I received from the State Department on this matter confirmed that they interpret current law to require them to issue a visa to Ghanoushi—an acknowledged member of a terrorist organization—unless they can prove that he personally was involved in a terrorist act. Apparently his conviction in Tunisia for his part in an assassination plot against Tunisia's pro-Western President Ben Ali is not enough. Nor is the fact that he fled his country after his underground Islamic fundamentalist terrorist group launched violent attacks against the government. Nor, apparently, do his virulently antiwestern and anti-Israel statements have any relevance to the visa decision, as far as the State Department is concerned.

Mr. Speaker, after the recent rash of terrorist bombings in Argentina, Panama, and London, many countries are waking up to their vulnerability to terrorists. As reported in the July 28 *Christian Science Monitor*, the British Parliament is now considering enacting legislation similar to my legislation that the conferees so casually cast aside.

It is well known that many foreign terrorist organizations depend on money raised in the United States for a major portion of their funding. There are also disturbing indications that many of these organizations are working to develop networks of members and supporters in our own country. The first step we need to take to combat these criminal activities is to slam the door on foreign members of such terrorist organizations who now freely travel to the United States unfettered by our visa laws.

I am deeply disappointed in the action of both the Democrat and Republican conferees who supported deleting the Senate Brown amendment. Whether they fully understand the issue or not, the sad truth is that now American lives will continue to be put at risk out of deference to some imagined first amendment right of foreign terrorists. In my reading of the U.S. Constitution I see much about the protection of the safety and welfare of U.S. citizens, but nothing about the rights of members of terrorist organizations to visit Disneyland.

I hope that the next time this issue comes before the House it will not be in reaction to an avoidable loss of American lives to a terrorist act. I hope that next time this issue is allowed to be considered on its merits, and not anonymously deleted in an en bloc package of staff agreements.

Mr. KIM. Mr. Speaker, I was shocked to learn that there are 25 unauthorized pork projects contained in title IV of H.R. 4603, which provides appropriations for the Small Business Administration Appropriations. These projects amount to 16 percent of the total SBA appropriation. This is an outrageous abuse of the American taxpayer.

Mr. Speaker, I do not have time to go into the entire list, but let me mention just a few of these projects: \$750,000 for a North Carolina Biotechnology Center; \$1.5 million for a consortium in Buffalo, NY; \$1 million for a Genesis Small Business Incubator Facility in Fayetteville, AR; \$500,000 for a Mississippi Delta Small Business Technology project in Little Rock, AR; and \$15 million for a tree planting program of which \$500,000 is earmarked for Buffalo, NY.

I am amazed that there were no hearings on these projects. Interestingly, there are no projects for my State of California which is still mired in economic troubles with an unemployment rate of 8.2 percent. If we are to earmark funds, shouldn't we earmark them to stimulate the economies of those areas of our country still affected by recession?

But of course, as a freshman Republican I could not get these types of unauthorized projects inserted into an appropriations bill. I am deeply disturbed by the unauthorized inclusion of these projects in this bill. The American people should be outraged by this wasteful spending, and this contemptuous and secretive process.

Mr. CRAMER. Mr. Speaker, I rise in support of the conference report to accompany H.R. 4603, the Commerce, Justice, and State, the Judiciary, and related agencies appropriations bill for fiscal year 1995.

First, I would like to commend Chairman ALAN MOLLOHAN for his leadership in moving through the Appropriations Committee and bringing to the House floor this important bill that will provide the necessary capital to address the problems of child abuse, to fund needed anti-crime initiatives, to assist small and emerging businesses, and to support efforts in developing and implementing strategies to enable U.S. industry to fully realize the commercial benefits of new technology.

Additionally, I would like to commend the staff for their professionalism and attention to details.

Mr. Speaker, the Appropriations Committee has been charged with an almost insurmountable task: funding significant programs on the one hand and acting in accordance with budgetary limitations requirements on the other hand. Chairman MOLLOHAN and the other members of the Subcommittee have performed admirably.

I am very supportive of one particular section of this bill. The bill includes funding for the Children's Advocacy Center Program that was authorized in the 1992 Amendments to the Victims of Child Abuse Act. The administration included the Children's Advocacy Center Program in its 1995 budget request.

Why is this program important? It is important for several reasons. Based on 1990 revised data, States received and referred for investigation approximately 1.7 million cases of child abuse out of an estimated report of 2.6 million children who are the alleged subjects of child abuse and neglect. In 1991, the number of cases referred for investigation rose to nearly 1.8 million reports. The number reported in 1991 represents an increase of approximately 2.4 percent from 1990 data.

In 1992, approximately 918,263 substantiated and indicated victims of child maltreatment cases were reported from 49 states. Of these, approximately 14 percent (129,982) were sexually abused. The Carnegie Corp. of New York reported, in its publication *Starting Points*, that one in three victims of physical abuse is a baby less than a year old and that in 1990, more 1-year olds were maltreated than in any previous year for which data are available. Additionally, *Starting Points* reported "almost 90 percent of children who died of abuse and neglect in 1990 were under the age of 5; and 53 percent were less than a year old." Further, based upon its annual telephone survey of States, the National Committee for Prevention of Child Abuse reported that at least three children a day die from physical abuse inflicted by a parent or caretaker.

The Children's Advocacy Center Program addresses this problem. The mission of this program is to provide technical assistance, training and networking opportunities to help communities establish and maintain child abuse prevention, intervention, prosecution and investigation programs which provide quality services for helping victims of child abuse, particularly child sexual abuse. The purpose of Children's Advocacy Centers is to help abused children by providing a safe and comfortable environment designed to meet their needs for support and protection.

The cornerstone of this program is the use of multi-disciplinary teams. A multi-disciplinary team consists of representatives from law enforcement, child protective services, prosecution, victim advocates, medicine and mental health who meet on a regular basis to review cases and issue joint recommendations in the best interest of each child. The multi-disciplinary team concept that is incorporated in the Children's Advocacy Program works to coordinate the activity of all involved public and private agencies to intervene in the lives of abused children in a meaningful way and to ensure that the judicial system does not revictimize them through repeated interviews and examinations.

Preventing the inadvertent revictimization of an abused child by the judicial and social service systems in their efforts to protect the child is a major goal of this program. As a consequence of a coordinated response, child victims are spared the pain and confusion of multiple interviews by prosecutors, protective service workers and social workers.

This program may not be a panacea for the increasing problem of child abuse. However, it is more than a first step toward addressing the problem. This program has served and will continue to serve as a model for communities that are working to focus attention and efforts on the best interests of the child and non-offending family members.

Funding this program speaks volumes to the House of Representatives' commitment to support a necessary pro-family and anti-crime initiative. Without question, this program improves the lives of communities, children and non-offending family members. Communities from Hawaii to Vermont and cities as diverse as Miami and Salt Lake City have established multi-disciplinary teams and mobilized professionals to respond to child sexual abuse. In every instance, when the model outlined in the 1992 amendments to the Victims of Child Abuse Act has been incorporated into a community's unique program, that community has seen positive results.

Mr. Speaker, the Children's Advocacy Center Program is an effective response to child abuse. I commend Chairman MOLLOHAN for his leadership efforts. I urge my colleagues to support the bill.

Mr. STOKES. Mr. Speaker, I rise in strong support of H.R. 4603, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies programs for fiscal year 1995. This bill will enhance many of our Nation's most important functions so that the interests of the American people will be best preserved. I want to take this opportunity to commend my distinguished colleague, the gentleman from West Virginia, Chairman MOLLOHAN, for his leadership in crafting this intelligent and thoughtful legislation, and his expeditiously bringing it before the House for consideration.

This bill contains a great number of essential services to our Nation. In the justice portion of the bill the committee has continued its unprecedented efforts to fight crime. The bill provides for over \$12 billion for the Department of Justice. This includes funding for many programs that will play an essential role in our efforts to make our citizens safer. The bill also contains important funding for our Nation's judicial system, essential for the swift, fair, and effective administration of justice for all Americans. The list of important functions supported by this bill is substantial and makes additional substantial contributions in the areas of disaster relief, civil rights, and commerce—to name just a few.

Mr. Speaker, I would also like to address several programs funded by the bill that will greatly assist the citizens of my home State of Ohio. Overall, the bill includes a total of almost \$5 billion to continue critical efforts to create jobs and improve the national economy through technology enhancements, economic development programs, and small business administration initiatives. For northeast Ohioans, the bill extends funding for the manufacturing technology center, provides funds for the Cleveland Technology District, the Unified Technology Center, and establishes a minority economic opportunity center. All of these efforts will bring many job opportunities to the region.

This is the kind of bill that will result in the overall enhancement of our Nation by the strategic and wise investment of Government funds in programs that are good for all Americans. In closing, I would again like to express my sincere appreciation for the efforts of Chairman MOLLOHAN and the other members of the subcommittee for the efforts they have made to bring this bill before us today. I

strongly encourage all of my colleagues to support the important efforts contained in H.R. 4603.

The SPEAKER pro tempore (Mr. CARDIN). Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WALKER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 322, nays 98, not voting 14, as follows:

[Roll No. 408]

YEAS—322

Abercrombie	Danner	Hastert
Ackerman	Darden	Hastings
Andrews (ME)	de la Garza	Hayes
Applegate	Deal	Hefner
Bacchus (FL)	DeFazio	Hilliard
Baessler	DeLauro	Hinchey
Baker (LA)	Dellums	Hoagland
Ballenger	Derrick	Hobson
Barca	Deutsch	Hochbrueckner
Barcia	Diaz-Balart	Hoke
Barlow	Dickey	Holden
Barrett (NE)	Dicks	Horn
Barrett (WI)	Dingell	Houghton
Bateman	Dixon	Hoyer
Becerra	Dooley	Hughes
Bellenson	Durbin	Hunter
Bentley	Edwards (CA)	Hutchinson
Bereuter	Edwards (TX)	Hutto
Berman	Emerson	Inslee
Bevill	Engel	Jefferson
Bilbray	English	Johnson (CT)
Billrakis	Eshoo	Johnson (GA)
Bishop	Evans	Johnson (SD)
Blackwell	Everett	Johnson, E.B.
Blute	Ewing	Johnston
Boehlert	Farr	Kanjorski
Bonilla	Fazio	Kaptur
Bonior	Fields (LA)	Kennedy
Borski	Filner	Kennelly
Boucher	Fingerhut	Kildee
Brewster	Fish	Kingston
Brooks	Flake	Kleczka
Browder	Foglietta	Klink
Brown (CA)	Ford (MI)	Kolbe
Brown (FL)	Fowler	Kopetski
Brown (OH)	Frank (MA)	Kreidler
Bryant	Franks (CT)	Kyl
Buyer	Frost	LaFalce
Byrne	Furse	Lambert
Calvert	Gallegly	Lancaster
Canady	Gallo	LaRocco
Cantwell	Gedjenson	Laughlin
Cardin	Gephardt	Leach
Carr	Geren	Lehman
Castle	Gibbons	Levin
Chapman	Gilchrest	Lewis (CA)
Clay	Gillmor	Lewis (GA)
Clayton	Gilman	Lightfoot
Clinger	Gingrich	Linder
Clyburn	Glickman	Lipinski
Coleman	Gonzalez	Livingston
Collins (GA)	Gordon	Lloyd
Collins (IL)	Grandy	Long
Collins (MI)	Green	Lowey
Conyers	Gunderson	Machtley
Coppersmith	Gutierrez	Maloney
Costello	Hall (OH)	Mann
Coyne	Hamburg	Manton
Cramer	Hamilton	Manzullo
Cunningham	Harman	

Margolies-Mezvinsky  
Markey  
Martinez  
Matsui  
Mazzoli  
McCloskey  
McCrery  
McCurdy  
McDermott  
McHale  
McInnis  
McKeon  
McKinney  
McMillan  
McNulty  
Meehan  
Meek  
Menendez  
Mfume  
Mica  
Michel  
Miller (CA)  
Mineta  
Mink  
Moakley  
Molinar  
Mollohan  
Montgomery  
Moran  
Morella  
Murtha  
Myers  
Nadler  
Neal (MA)  
Neal (NC)  
Oberstar  
Obey  
Oliver  
Ortiz  
Orton  
Oxley  
Packard  
Pallone  
Parker  
Pastor  
Payne (NJ)  
Payne (VA)

Pelosi  
Peterson (FL)  
Pickett  
Pickle  
Pombo  
Pomeroy  
Porter  
Poshard  
Price (NC)  
Quillen  
Quinn  
Rahall  
Rangel  
Ravenel  
Reed  
Regula  
Richardson  
Ridge  
Roemer  
Rogers  
Ros-Lehtinen  
Rostenkowski  
Roukema  
Rowland  
Roybal-Allard  
Sabo  
Sanders  
Sangmeister  
Sarpaliss  
Sawyer  
Schenk  
Schiff  
Schroeder  
Schumer  
Scott  
Serrano  
Sharp  
Shaw  
Shays  
Shepherd  
Sisisky  
Skaggs  
Skeen  
Skelton  
Slaughter  
Smith (IA)  
Smith (NJ)  
Smith (TX)

Snowe  
Spratt  
Stark  
Stearns  
Stokes  
Strickland  
Studds  
Stupak  
Swift  
Synar  
Tanner  
Tauzin  
Taylor (NC)  
Tejeda  
Thomas (CA)  
Thomas (WY)  
Thompson  
Thornton  
Thurman  
Torkildsen  
Torres  
Torrice  
Towns  
Traficant  
Tucker  
Unsold  
Upton  
Valentine  
Velazquez  
Vento  
Visclosky  
Volker  
Vucanovich  
Walsh  
Waters  
Watt  
Waxman  
Wheat  
Whitten  
Williams  
Wilson  
Wise  
Wolf  
Woolsey  
Wyden  
Wynn  
Yates  
Young (FL)

NAYS—98

Allard	Goss	Murphy
Andrews (NJ)	Grams	Nussle
Archer	Greenwood	Paxon
Armey	Hall (TX)	Penny
Bachus (AL)	Hancock	Peterson (MN)
Baker (CA)	Hansen	Petri
Bartlett	Hefley	Portman
Barton	Herger	Pryce (OH)
Bliley	Hoekstra	Ramstad
Boehner	Huffington	Roberts
Bunning	Hyde	Rohrabacher
Burton	Inglis	Roth
Callahan	Inhofe	Royce
Camp	Istook	Santorum
Coble	Jacobs	Saxton
Combest	Johnson, Sam	Schaefer
Condit	Kasich	Sensenbrenner
Cox	Kim	Shuster
Crane	King	Smith (MI)
Crapo	Klug	Smith (OR)
DeLay	Knollenberg	Solomon
Doolittle	Lazio	Spence
Dornan	Levy	Stenholm
Dreier	Lewis (FL)	Stump
Duncan	Lewis (KY)	Swett
Dunn	Lucas	Talent
Ehlers	McCandless	Taylor (MS)
Fawell	McCollum	Walker
Fields (TX)	McHugh	Weldon
Franks (NJ)	Meyers	Young (AK)
Gekas	Miller (FL)	Zeliff
Goodlatte	Minge	Zimmer
Goodling	Moorhead	

NOT VOTING—14

Andrews (TX)	Lantos	Rush
Clement	McDade	Slattery
Cooper	Owens	Sundquist
Ford (TN)	Reynolds	Washington
Klein	Rose	

□ 1408

Ms. MOLINARI, Messrs. QUILLEN, LEWIS of California, SHAYS, THOMAS



of California, and LINDER changed their vote from "nay" to "yea."

So the conference agreement was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### PROVIDING FOR MANAGEMENT OF PORTIONS OF THE PRESIDIO

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 516 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. RES. 516

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3433) to provide for the management of portions of the Presidio under the jurisdiction of the Secretary of the Interior. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and the amendments made in order by this resolution and shall not exceed seventy-five minutes, with forty-five minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources and thirty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule for a period of not to exceed three hours (excluding time consumed by recorded votes and proceedings incidental thereto). It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, modified by the amendments recommended by the Committee on Ways and Means now printed in the bill and by the amendments printed in the report of the Committee on Rules accompanying this resolution. The committee amendment in the nature of a substitute, as modified, shall be considered as read. All points of order against the committee amendment in the nature of a substitute, as modified, are waived. No amendment directly or indirectly changing section 3(h)(9), section 3(h)(12), section 3(h)(13), or section 3(j) of the amendment in the nature of a substitute, as modified, shall be in order. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute, as modified. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1410

The SPEAKER pro tempore (Mr. McNULTY). The gentlewoman from New

York [Ms. SLAUGHTER] is recognized for 1 hour.

Ms. SLAUGHTER. Mr. Speaker, I yield the customary 30 minutes of debate time to the gentleman from Tennessee [Mr. QUILLLEN] pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 516 is a modified open rule providing for the consideration of H.R. 3433, to provide for the management of the Presidio.

The rule provides for 75 minutes of general debate, with 45 minutes equally divided and controlled by the Natural Resources Committee and 30 minutes equally divided and controlled by the Ways and Means Committee.

All points of order against consideration of the bill are waived.

The rule makes in order an amendment in the nature of a substitute now printed in the bill, as modified by the Ways and Means Committee amendments now printed in the bill and the amendments printed in the report to accompany the rule, as an original bill for the purposes of amendment. The substitute, as modified, shall be considered as read and all points of order against the substitute, as modified, are waived.

The rule is an open rule with the exception that amendments shall not be in order which directly or indirectly change sections 3(h)(9), 3(h)(12), 3(h)(13), or 3(j) of the substitute. These sections, which are in the jurisdiction of the Ways and Means Committee, have to do with budgetary and tax aspects of the bill's proposed Presidio Trust. It was not the intention of the Rules Committee to preclude the offering of substitutes when protecting these sections from amendment. Substitutes which do not include the establishment of the Trust will be in order. Alternatively, substitutes which include the specified sections without change in their text will also be in order.

The rule further provides for a limit of 3 hours, excluding the time for votes, for consideration of the bill for amendment.

Finally, the rule provides for one motion to recommit with or without instructions.

Mr. Speaker, H.R. 3433, the bill for which the Rules Committee has recommended this rule, provides a framework for the conversion of the Presidio from a military base to an urban national park. The Natural Resources Committee has carefully crafted the bill to protect the nationally significant natural and cultural resources of the Presidio, while at the same time reducing the net cost to the taxpayer through the generation of substantial revenues to offset the overall costs of operation and restoration.

Mr. Speaker, I ask my colleagues to support this modified open rule so that

we may proceed with consideration of the merits of this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. QUILLLEN. Mr. Speaker, I yield myself such time as I may consume.

As the gentlewoman from New York [Ms. SLAUGHTER] has described, this rule waives all points of order against the bill and its consideration and against the substitute, as modified. I cannot support this blanket waiver, Mr. Speaker, and I cannot support his rule.

A list of potential points of order that may lie against the bill and the substitute was made available to the Rules Committee, and it included budget act violations, appropriations in a legislative bill, and nongermane amendments. I understand that the budget problems may be solved, but the other rules violations still stand.

In addition to my objection to the waivers provided by this rule, I am also concerned that certain sections of the bill are closed to amendment and that a time limitation has been established for consideration of the bill for amendment. A letter was sent to the chairman of the Rules Committee, which is signed by the minority leader, the Republican whip, and the ranking Republican members of the Natural Resources and Budget Committees, requesting a completely open rule. A motion was made in the Rules Committee to report an open rule, but this effort was defeated.

Mr. Speaker, the Presidio has been a controversial subject from the start, and we have had heated debate during consideration of appropriation bills on this issue. I think this bill should be completely open to amendment without restriction or limitation. I ask unanimous consent to insert extraneous materials into the RECORD following my statement, and I urge my colleagues to vote "no" on this rule.

Mr. Speaker, I include for the RECORD statistics on open versus restrictive rules, as follows:

#### OPEN VERSUS RESTRICTIVE RULES 95TH-103D CONG.

Congress (years)	Total rules granted <sup>1</sup>	Open rules		Restrictive rules	
		Number	Percent <sup>2</sup>	Number	Percent <sup>3</sup>
95th (1977-78)	211	179	85	32	15
96th (1979-80)	214	161	75	53	25
97th (1981-82)	120	90	75	30	25
98th (1983-84)	155	105	68	50	32
99th (1985-86)	115	65	57	50	43
100th (1987-88)	123	66	54	57	46
101st (1989-90)	104	47	45	57	55
102d (1991-92)	109	37	34	72	66
103d (1993-94)	91	25	27	66	73

<sup>1</sup> Total rules counted are all order of business resolutions reported from the Rules Committee which provide for the initial consideration of legislation, except rules on appropriations bills which only waive points of order. Original jurisdiction measures reported as privileged are also not counted.

<sup>2</sup> Open rules are those which permit any Member to offer any germane amendment to a measure so long as it is otherwise in compliance with the rules of the House. The parenthetical percentages are open rules as a percent of total rules granted.

<sup>3</sup> Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules, as well as completely closed rule, and rules providing for consideration in the House as opposed to the Committee of the Whole. The parenthetical percentages are restrictive rules as a percent of total rules granted.

Sources: "Rules Committee Calendars & Surveys of Activities," 95th-102d Cong.; "Notices of Action Taken," Committee on Rules, 103d Cong., through Aug. 12, 1994.

## OPEN VERSUS RESTRICTIVE RULES: 103D CONG.

Rule number date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 58, Feb. 2, 1993	MC	H.R. 1: Family and medical leave	30 (D-5, R-25)	3 (D-0; R-3)	PQ: 246-176. A: 259-164. (Feb. 3, 1993).
H. Res. 59, Feb. 3, 1993	MC	H.R. 2: National Voter Registration Act	19 (D-1, R-18)	1 (D-0; R-1)	PQ: 248-171. A: 249-170. (Feb. 4, 1993).
H. Res. 103, Feb. 23, 1993	C	H.R. 920: Unemployment compensation	7 (D-2; R-5)	0 (D-0; R-0)	PQ: 243-172. A: 237-178. (Feb. 24, 1993).
H. Res. 106, Mar. 2, 1993	MC	H.R. 20: Hatch Act amendments	9 (D-1, R-8)	3 (D-0; R-3)	PQ: 248-166. A: 249-163. (Mar. 3, 1993).
H. Res. 119, Mar. 9, 1993	MC	H.R. 4: NIH Revitalization Act of 1993	13 (D-4, R-9)	8 (D-3; R-5)	PQ: 247-170. A: 248-170. (Mar. 10, 1993).
H. Res. 132, Mar. 17, 1993	MC	H.R. 1335: Emergency supplemental Appropriations	37 (D-8, R-29)	1 (not submitted) (D-1; R-0)	A: 240-185. (Mar. 18, 1993).
H. Res. 133, Mar. 17, 1993	MC	H. Con. Res. 64: Budget resolution	14 (D-2, R-12)	4 (1-D not submitted) (D-2; R-2)	PQ: 250-172. A: 251-172. (Mar. 18, 1993).
H. Res. 138, Mar. 23, 1993	MC	H.R. 670: Family planning amendments	20 (D-8, R-12)	9 (D-4; R-5)	PQ: 252-164. A: 247-169. (Mar. 24, 1993).
H. Res. 147, Mar. 31, 1993	C	H.R. 1430: Increase Public debt limit	6 (D-1; R-5)	0 (D-0; R-0)	PQ: 244-168. A: 242-170. (Apr. 1, 1993).
H. Res. 149, Apr. 1, 1993	MC	H.R. 1578: Expedited Recession Act of 1993	8 (D-1; R-7)	3 (D-1; R-2)	A: 212-208. (Apr. 28, 1993).
H. Res. 164, May 4, 1993	O	H.R. 820: Hate Competitiveness Act	NA	NA	A: Voice Vote. (May 5, 1993).
H. Res. 171, May 18, 1993	O	H.R. 873: Gallatin Range Act of 1993	NA	NA	A: Voice Vote. (May 20, 1993).
H. Res. 172, May 18, 1993	O	H.R. 1159: Passenger Vessel Safety Act	NA	NA	A: 308-0. (May 24, 1993).
H. Res. 173, May 18, 1993	MC	S.J. Res. 45: United States forces in Somalia	6 (D-1; R-5)	6 (D-1; R-5)	A: Voice Vote. (May 20, 1993).
H. Res. 183, May 25, 1993	O	H.R. 2244: 2d supplemental appropriations	NA	NA	A: 251-174. (May 26, 1993).
H. Res. 186, May 27, 1993	MC	H.R. 2264: Omnibus budget reconciliation	51 (D-19; R-32)	8 (D-7; R-1)	PQ: 252-178. A: 236-194. (May 27, 1993).
H. Res. 192, June 9, 1993	MC	H.R. 2348: Legislative branch appropriations	50 (D-6; R-44)	6 (D-3; R-3)	PQ: 244-177. A: 226-185. (June 10, 1993).
H. Res. 193, June 10, 1993	O	H.R. 2200: NASA authorization	NA	NA	A: Voice Vote. (June 14, 1993).
H. Res. 195, June 14, 1993	MC	H.R. 5: Striker replacement	7 (D-4; R-3)	2 (D-1; R-1)	A: 244-176. (June 15, 1993).
H. Res. 197, June 15, 1993	MO	H.R. 2333: State Department, H.R. 2404: Foreign aid	53 (D-20; R-33)	27 (D-12; R-15)	A: 294-129. (June 16, 1993).
H. Res. 199, June 16, 1993	C	H.R. 1876: Ext. of "Fast Track"	NA	NA	A: Voice Vote. (June 22, 1993).
H. Res. 200, June 16, 1993	MC	H.R. 2295: Foreign operations appropriations	33 (D-11; R-22)	5 (D-1; R-4)	A: 263-160. (June 17, 1993).
H. Res. 201, June 17, 1993	O	H.R. 2403: Treasury-postal appropriations	NA	NA	A: Voice Vote. (June 17, 1993).
H. Res. 203, June 22, 1993	MO	H.R. 2445: Energy and Water appropriations	NA	NA	A: Voice Vote. (June 23, 1993).
H. Res. 206, June 23, 1993	O	H.R. 2150: Coast Guard authorization	NA	NA	A: 401-0. (July 30, 1993).
H. Res. 217, July 14, 1993	MO	H.R. 2010: National Service Trust Act	NA	NA	A: 261-164. (July 21, 1993).
H. Res. 220, July 21, 1993	MC	H.R. 2667: Disaster assistance supplemental	14 (D-8; R-6)	2 (D-2; R-0)	PQ: 245-178. F: 205-216. (July 22, 1993).
H. Res. 226, July 23, 1993	MC	H.R. 2667: Disaster assistance supplemental	15 (D-8; R-7)	2 (D-2; R-0)	A: 224-205. (July 27, 1993).
H. Res. 229, July 28, 1993	MO	H.R. 2330: Intelligence Authority Act, fiscal year 1994	NA	NA	A: Voice Vote. (Aug. 3, 1993).
H. Res. 230, July 28, 1993	O	H.R. 1964: Maritime Administration authority	NA	NA	A: Voice Vote. (July 29, 1993).
H. Res. 246, Aug. 6, 1993	MO	H.R. 2401: National Defense authority	149 (D-109; R-40)	NA	A: 246-172. (Sept. 8, 1993).
H. Res. 248, Sept. 9, 1993	MC	H.R. 2401: National Defense authorization	12 (D-3; R-9)	1 (D-1; R-0)	PQ: 237-169. A: 234-169. (Sept. 13, 1993).
H. Res. 250, Sept. 13, 1993	MC	H.R. 1340: RTC Completion Act	NA	NA	A: 213-191-1. (Sept. 14, 1993).
H. Res. 254, Sept. 22, 1993	O	H.R. 2401: National Defense authorization	91 (D-67; R-24)	NA	A: 241-182. (Sept. 28, 1993).
H. Res. 264, Sept. 28, 1993	MC	H.R. 1845: National Biological Survey Act	NA	NA	A: 238-188. (10/06/93).
H. Res. 265, Sept. 29, 1993	MC	H.R. 2351: Arts, humanities, museums	7 (D-0; R-7)	3 (D-0; R-3)	PQ: 240-185. A: 225-195. (Oct. 14, 1993).
H. Res. 269, Oct. 6, 1993	MC	H.R. 3167: Unemployment compensation amendments	3 (D-1; R-2)	N/A	A: 239-150. (Oct. 15, 1993).
H. Res. 273, Oct. 12, 1993	MC	H.R. 3167: Aviation infrastructure investment	3 (D-1; R-2)	2 (D-1; R-1)	A: Voice Vote. (Oct. 7, 1993).
H. Res. 274, Oct. 12, 1993	MC	H.R. 1804: Goals 2000 Educate America Act	15 (D-7; R-7; 1-1)	10 (D-7; R-3)	PQ: 235-187. F: 149-254. (Oct. 14, 1993).
H. Res. 282, Oct. 20, 1993	C	H.J. Res. 281: Continuing appropriations through Oct. 28, 1993	N/A	N/A	A: Voice Vote. (Oct. 13, 1993).
H. Res. 286, Oct. 27, 1993	O	H.R. 334: Lumber Recognition Act	N/A	N/A	A: Voice Vote. (Oct. 21, 1993).
H. Res. 287, Oct. 27, 1993	C	H.J. Res. 283: Continuing appropriations resolution	1 (D-0; R-0)	0	A: Voice Vote. (Oct. 28, 1993).
H. Res. 289, Oct. 28, 1993	O	H.R. 2151: Maritime Security Act of 1993	N/A	N/A	A: 252-170. (Oct. 28, 1993).
H. Res. 293, Nov. 4, 1993	MC	H. Con. Res. 170: Troop withdrawal Somalia	N/A	N/A	A: Voice Vote. (Nov. 3, 1993).
H. Res. 299, Nov. 8, 1993	MC	H.R. 1036: Employee Retirement Act-1993	2 (D-1; R-1)	N/A	A: 390-8. (Nov. 8, 1993).
H. Res. 302, Nov. 9, 1993	MC	H.R. 1025: Brady handgun bill	17 (D-6; R-11)	4 (D-1; R-3)	A: Voice Vote. (Nov. 9, 1993).
H. Res. 303, Nov. 9, 1993	O	H.R. 322: Mineral exploration	N/A	N/A	A: 238-182. (Nov. 10, 1993).
H. Res. 304, Nov. 9, 1993	C	H.J. Res. 288: Further CR, FY 1994	N/A	N/A	A: Voice Vote. (Nov. 16, 1993).
H. Res. 312, Nov. 17, 1993	MC	H.R. 3425: EPA Cabinet Status	27 (D-8; R-19)	9 (D-1; R-8)	F: 191-227. (Feb. 2, 1994).
H. Res. 313, Nov. 17, 1993	MC	H.R. 796: Freedom Access to Clinics	15 (D-9; R-6)	4 (D-1; R-3)	A: 233-192. (Nov. 18, 1993).
H. Res. 314, Nov. 17, 1993	MC	H.R. 3351: Alt Methods Young Offenders	21 (D-7; R-14)	6 (D-3; R-3)	A: 238-179. (Nov. 19, 1993).
H. Res. 316, Nov. 19, 1993	C	H.R. 51: D.C. statehood bill	1 (D-1; R-0)	N/A	A: 252-172. (Nov. 20, 1993).
H. Res. 319, Nov. 20, 1993	MC	H.R. 3: Campaign Finance Reform	35 (D-6; R-29)	1 (D-0; R-1)	A: 220-207. (Nov. 21, 1993).
H. Res. 320, Nov. 20, 1993	MC	H.R. 3400: Reinventing Government	34 (D-15; R-19)	3 (D-3; R-0)	A: 247-183. (Nov. 22, 1993).
H. Res. 336, Feb. 2, 1994	MC	H.R. 3759: Emergency Supplemental Appropriations	14 (D-8; R-5; 1-1)	5 (D-3; R-2)	PQ: 244-168. A: 242-65. (Feb. 3, 1994).
H. Res. 352, Feb. 8, 1994	MC	H.R. 811: Federal Counsel Act	27 (D-8; R-19)	10 (D-4; R-6)	PQ: 249-174. A: 242-174. (Feb. 9, 1994).
H. Res. 357, Feb. 9, 1994	MC	H.R. 3345: Federal Workforce Restructuring	3 (D-2; R-1)	2 (D-2; R-0)	A: VV (Feb. 10, 1994).
H. Res. 366, Feb. 23, 1994	MO	H.R. 6: Improving America's Schools	NA	NA	A: VV (Feb. 24, 1994).
H. Res. 384, Mar. 9, 1994	MC	H. Con. Res. 218: Budget Resolution FY 1995-99	14 (D-5; R-9)	5 (D-3; R-2)	A: 245-171. (Mar. 10, 1994).
H. Res. 401, Apr. 12, 1994	MO	H.R. 4092: Violent Crime Control	180 (D-98; R-82)	68 (D-47; R-21)	A: 244-176. (Apr. 13, 1994).
H. Res. 410, Apr. 21, 1994	MO	H.R. 3221: Iraqi Claims Act	N/A	N/A	A: Voice Vote. (Apr. 28, 1994).
H. Res. 414, Apr. 28, 1994	O	H.R. 3254: NSF Auth. Act	N/A	N/A	A: Voice Vote. (May 3, 1994).
H. Res. 416, May 4, 1994	C	H.R. 4296: Assault Weapons Ban Act	7 (D-5; R-2)	0 (D-0; R-0)	A: 220-209. (May 5, 1994).
H. Res. 420, May 5, 1994	O	H.R. 2442: EDA Reauthorization	N/A	N/A	A: Voice Vote. (May 10, 1994).
H. Res. 422, May 11, 1994	MO	H.R. 518: California Desert Protection	N/A	N/A	PQ: 245-172. A: 248-165. (May 17, 1994).
H. Res. 423, May 11, 1994	O	H.R. 2473: Montana Wilderness Act	N/A	N/A	A: Voice Vote. (May 12, 1994).
H. Res. 428, May 17, 1994	MO	H.R. 2108: Black Lung Benefits Act	4 (D-1; R-3)	N/A	A: VV (May 19, 1994).
H. Res. 429, May 17, 1994	MO	H.R. 4301: Defense Auth., FY 1995	173 (D-115; R-58)	100 (D-80; R-20)	A: 369-49. (May 18, 1994).
H. Res. 431, May 20, 1994	MO	H.R. 4301: Defense Auth., FY 1995	NA	NA	A: Voice Vote. (May 23, 1994).
H. Res. 440, May 24, 1994	MC	H.R. 4385: Natl Hwy System Designation	16 (D-10; R-6)	5 (D-5; R-0)	A: Voice Vote. (May 25, 1994).
H. Res. 443, May 25, 1994	MC	H.R. 4426: For. Ops. Approps, FY 1995	39 (D-11; R-28)	8 (D-3; R-5)	PQ: 233-191. A: 244-181. (May 25, 1994).
H. Res. 444, May 25, 1994	MC	H.R. 4454: Leg Branch Approps, FY 1995	43 (D-10; R-33)	12 (D-8; R-4)	A: 249-177. (May 26, 1994).
H. Res. 447, June 8, 1994	O	H.R. 4539: Treasury/Postal Approps 1995	N/A	N/A	A: 236-177. (June 9, 1994).
H. Res. 468, June 28, 1994	MO	H.R. 4299: Intelligence Auth., FY 1995	N/A	N/A	PQ: 240-185. A: Voice Vote. (July 14, 1994).
H. Res. 474, July 12, 1994	MO	H.R. 3937: Export Admin. Act of 1994	N/A	N/A	A: Voice Vote. (July 19, 1994).
H. Res. 475, July 12, 1994	O	H.R. 1188: Anti. Redlining in Ins.	N/A	N/A	A: Voice Vote. (July 14, 1994).
H. Res. 482, July 20, 1994	O	H.R. 3838: Housing & Comm. Dev. Act	N/A	N/A	A: Voice Vote. (July 20, 1994).
H. Res. 483, July 20, 1994	O	H.R. 3870: Environ. Tech. Act of 1994	N/A	N/A	A: Voice Vote. (July 21, 1994).
H. Res. 484, July 20, 1994	MC	H.R. 4604: Budget Control Act of 1994	3 (D-2; R-1)	3 (D-2; R-1)	A: Voice Vote. (July 26, 1994).
H. Res. 491, July 27, 1994	O	H.R. 2448: Radon Disclosure Act	N/A	N/A	PQ: 245-180. A: Voice Vote. (July 21, 1994).
H. Res. 492, July 27, 1994	O	S. 208: NPS Concession Policy	N/A	N/A	A: Voice Vote. (July 28, 1994).
H. Res. 494, July 28, 1994	MC	H.R. 4801: SBA Reauth. & Amdmts. Act	10 (D-5; R-5)	6 (D-4; R-2)	A: Voice Vote. (July 28, 1994).
H. Res. 500, Aug. 1, 1994	MO	H.R. 4003: Maritime Admin. Reauth.	N/A	N/A	PQ: 215-169. A: 221-161. (July 29, 1994).
H. Res. 501, Aug. 1, 1994	O	S. 1357: Little Traverse Bay Bands	N/A	N/A	A: 336-77. (Aug. 2, 1994).
H. Res. 502, Aug. 1, 1994	O	H.R. 1066: Pokagon Band of Potawatomi	N/A	N/A	A: Voice Vote. (Aug. 3, 1994).
H. Res. 507, Aug. 4, 1994	O	H.R. 4217: Federal Crop Insurance	N/A	N/A	A: Voice Vote. (Aug. 3, 1994).
H. Res. 509, Aug. 5, 1994	MC	H.J. Res. 373/H.R. 4590: MFN China Policy	N/A	N/A	A: Voice Vote. (Aug. 5, 1994).
H. Res. 513, Aug. 9, 1994	MC	H.R. 4906: Emergency Spending Control Act	N/A	N/A	A: Voice Vote. (Aug. 9, 1994).
H. Res. 512, Aug. 9, 1994	MC	H.R. 4907: Full Budget Disclosure Act	N/A	N/A	A: 255-178. (Aug. 11, 1994).
H. Res. 514, Aug. 9, 1994	MC	H.R. 4822: Cong. Accountability	33 (D-16; R-17)	16 (D-10; R-6)	PQ: 247-185. A: Voice Vote. (Aug. 10, 1994).
H. Res. 515, Aug. 10, 1994	O	H.R. 4908: Hydrogen Etc. Research Act	N/A	N/A	
H. Res. 516, Aug. 10, 1994	MO	H.R. 3433: Presidio Management	12 (D-2; R-10)	N/A	

Note.—Code: C-Closed; MC-Modified closed; MO-Modified open; O-Open; D-Democrat; R-Republican; PQ: Previous question; A-Adopted; F-Failed.



Mr. Speaker, I yield 3 minutes to the gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise in opposition to this rule, and I rise in strong opposition to this legislation.

Mr. Speaker, the bill before us provides \$25 million for a park we cannot afford and has no business being a national park.

The Presidio may be a beautiful area, but it clearly does not qualify as a national park. It has various resources which are clearly unsuitable for inclusion in a park such as: a shopping mall, warehouses, and a Burger King. This is not exactly my vision of what our national park should be.

More importantly, is the fact that we do not have the resources to be funding such projects at this time. As we all know, funding for the park service is extremely low and many of our Nation's crown jewels in the National Park System are not receiving the money they need to adequately operate.

One of our Nation's truly magnificent jewels is Yellowstone National Park. Everyone knows about Yellowstone's magnificent scenery, outstanding geological features and incredible wildlife. It is truly one of our national treasures.

What many people do not know is that Yellowstone has many problems. The roads throughout much of the park are in horrible shape, many of the buildings need repair and there are not enough rangers to adequately staff the area.

What is incredible is that Yellowstone's operating budget in 1993 was only \$17 million. The bill before us today provides \$25 million for the Presidio.

This simply is not right. National parks such as Yellowstone and Yosemite should not be underfunded at the same time we are providing \$25 million a year for the Presidio.

The National Park Service currently faces a 37-year backlog in construction funding over \$5 billion and a \$400 million shortfall in its annual operating funds at the same time we ask for an inappropriate park and grant \$25 million a year.

The agency needs help and does not need to be burdened with massive new projects that will simply stretch limited resources even further.

The time has come for Congress to step-up and stop designating areas as national parks that do not belong in the system that we are unable to finance.

The facts are clear Mr. Speaker, we do not need this park at the Presidio. We need to fund the parks we already have in the system.

□ 1420

Mr. QUILLIN. Mr. Speaker, I yield 2 minutes to the gentleman from Utah [Mr. HANSEN].

Mr. HANSEN. Mr. Speaker, for the last 14 years I have had the distinct pleasure to represent the great State of Utah in this body. That State is well known as home of some of the most beautiful scenery and greatest national park areas in the country. I suspect that many Members have visited and most Members have heard of such great Utah national parks as Zion, Bryce, Arches, Canyonlands, Glen Canyon, et cetera. I have enjoyed many hours of family togetherness in our parks; camping, fishing and hiking and I continue to visit our great national parks every chance I get.

In the 122 years since the establishment of the first national park, Yellowstone, Congress has established in this country the best park system in the world. While we started with great natural areas like Yellowstone and Yosemite, the park system was later expanded to include some of the most important historic sites in the country, such as Independence Hall and Lexington-Concord, the place where the shot was heard around the world. Relatively recently, Congress began to designate Federal parks whose primary value was recreational use.

However, today as we survey our park system, many of us who love it are very concerned. We see park areas which are complete fabrications of history, we see local open space initiatives siphoning land acquisition dollars from acquiring lands necessary to protect such national treasures as Everglades National Park and we even see economic redevelopment projects masquerading as parks. Not only do these questionable additions to the park system whittle away at the integrity of the park system, but they make an already underfunded park system that much worse off.

Almost every week, there are media stories about the deteriorating conditions in our national parks. Congress has had, for at least the last 10 years, clear documentation of the shortfalls facing our parks. Again, for the RECORD I will reiterate that the construction backlog in the National Park Service is 37 years at existing funding levels, and for land acquisition the backlog is 25 years at the existing funding levels. In the past, I have stated that the annual operational shortfall was about \$400 million, but a recent letter signed by the deputy Director indicates that the annual operating shortfall may be closer to \$800 million.

And how has Congress responded to this crisis? What is the committee of primary jurisdiction doing to solve these fundamental and financial problems besetting this most-loved Federal agency? Literally by throwing its arms around every conceivable new park ex-

pansion proposal in sight. I ask my colleagues to remember that just the other week the House wisely rejected a proposal advanced by the Natural Resources Committee to authorize the expenditure of millions of dollars through establishment of the Tenement National Historic Site. Earlier this session, the House passed the California Desert bill, after adopting an amendment limiting its costs to \$336 million. In all, the Natural Resources Committee has reported nearly \$4 billion in new parks and public lands spending this Congress. These bills represent promises which this Congress is making around the country, almost none of which are paid for.

On the other side of the issue, what has the Natural Resources Committee done to help pay for its appetite to turn everything in sight into a national park? This Congress has acted on two measures which had the potential to generate new revenue for parks. The first was a measure to reform the concession policies of the Park Service. Probably one of the most worthwhile features of that bill was a proposal to return additional concession revenues to the parks. Unfortunately, by the time the bill reached the floor, it included an amendment adopted by the rule which will result in even less money to parks from concession operations than the Natural Park Service receives today.

The other measure before our committee to increase funds for the NPS is a proposal to increase entrance fees and to permit those increased fees to remain with the National Park Service. Vice President GORE claimed this initiative would generate \$996 million in new funding for parks over 6 years. However, the measure under consideration by our committee is projected to generate only \$20 million annually, and even that minimal measure has little chance of passage.

H.R. 3433 is one of the more costly park and public land bills to be reported by the Natural Resources Committee this session. The proposal to develop a Global Center for social, cultural and environmental awareness at the Presidio of San Francisco is estimated to cost \$1.2 billion in construction and operations over the 15-year life of the National Park Service plan.

Supporters of this measure claim that the National Park Service plan, as embodied in the bill before us today provides a great cost-savings to taxpayers. That is certainly not the case. The annual cost of operating the Presidio under the National Park Service plan represents only a 10-percent reduction in cost of operation compared to its operation as a military base and that is after removal of nearly 1/3 of the buildings. The National Park Service plan moves tens of millions of dollars off-budget and requires taxpayer subsidies of bonds for the Presidio Global

Center. In fact, the National Park Service consultant found it would cost the taxpayers less if not a single building was leased than if this legislation is implemented.

Mr. Speaker, there is no definition of a national park written down in law. But, I think the American public knows a park when they see one. And I believe that the public is not buying the fact that the Presidio's hospitals, warehouses, apartment complexes, Burger King, bowling alleys, and pet cemetery are worthy of inclusion in the park system.

The list of supporters of this measure is revealing. Basically, the support for this measure comes first from the bay area, which stands to gain financially from the expenditure of hundreds of millions of Federal dollars, and second from a handful of environmental groups. But this legislation is not an environmental issue. Rather, many of the environmental groups supporting this legislation have already indicated their interest in securing office space at the Presidio; office space which would be subsidized at taxpayer expense.

The list of environmental groups which have indicated an interest in leasing subsidized space at the Presidio include: the Sierra Club, the Sierra Club Legal Defense Fund, Fund for Animals, Greenpeace, and Earthwatch, to name but a few. Many of these groups already have offices in the bay area, but would prefer to relocate to offices subsidized by the American taxpayer.

So Mr. Speaker, when the time comes for amendments, a number of amendments will be offered today which will reduce the responsibility of the Federal Government at the Presidio. I intend to offer an amendment to turn surplus lands at the Presidio over to the city of San Francisco. Opponents of my amendment will compare it to turning Yellowstone Park over to the town of Cody, WY. As the debate unfolds today, it will become clear to everyone who is not already aware that the Presidio is no Yellowstone. I hope this body will act with some restraint before serving up the billion dollar Presidio Global Center which is authorized in H.R. 3433.

Mr. QUILLEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, again I ask my colleagues to support this rule so that we can proceed with the merits of the legislation.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. McNULTY). Pursuant to House Resolution 516 and rule XXIII, the Chair de-

clares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3433.

□ 1425

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3433) to provide for the management of portions of the Presidio under the jurisdiction of the Secretary of the Interior, with Mr. DURBIN in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to House Resolution 516, the bill is considered as having been read the first time.

Under the rule, the gentleman from Minnesota [Mr. VENTO] will be recognized for 22½ minutes, the gentleman from Utah [Mr. HANSEN] will be recognized for 22½ minutes, the gentleman from Florida [Mr. GIBBONS] will be recognized for 15 minutes, and the gentleman from Texas [Mr. ARCHER] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, I rise in support of this important legislative initiative introduced by the gentlewoman from California [Ms. PELOS] and scores of co-sponsors in the House which provides for the management of the Presidio following the historic transfer of the installation from the U.S. Army to the National Park Service on October 1 of this year.

The Presidio is a 1,480-acre military post located at the base of the Golden Gate Bridge in San Francisco and is literally surrounded by the Golden Gate National Recreation Area, a unit of the National Park System. The Presidio was determined in 1972 to be included in the Golden Gate National Recreation Area by law, the assumption being, as the military left or needed less space, that this important cultural, this important historic, resource over 220 years in age, having served continuously as a military installation, would indeed become part of the Golden Gate National Recreation Area.

Mr. Chairman, this is a logical and consistent proposal. It is one of the most important historical or cultural resources in our Nation. This area consists of lands that have unique ecological characteristics and recreational opportunities. In fact, the Golden Gate National Recreation Area, is one of the most used national park units. It has more visitors than nearly any other national park unit in the Nation.

Mr. Speaker, the Presidio is a complex unit. About half this space is open space. Other parts have buildings and is developed. It has nearly 6,000,000 square feet in 870 buildings and 1,200 housing units. It is an unusual respon-

sibility for the National Park Service, and because of that this legislation puts in place a public benefit corporation known as the Presidio Trust which will have the responsibility to, in fact, go into adaptive leasing and utilization of these buildings and removal of large numbers of these buildings.

The fact is that as a military base the Presidio costs \$60 to \$70 million a year to operate. Under this legislation that figure would be cut at least in half, and so, as a transfer is occurring, there is a savings to the American public that is represented, but at the same time there is and has been a commitment for 22 years to move this resource into the care of the National Park Service.

This legislation is must-pass legislation. In the absence of its passage, the preparation for nearly 5 years that has gone on with the National Park Service, they would be unable to exercise the responsibility and responsiveness to the needs that are evident to everyone that has looked at it and thought about it at the Presidio.

□ 1430

The bill is an unusual proposal, but it is very important to the community of San Francisco. They are relying upon the Federal Government to be a good partner after 5 years of planning. It is absolutely essential that we in fact provide the tools necessary for the National Park Service and for our Federal Government to respond to the needs of this important parcel of land.

H.R. 3433 is a complex bill, which responds to a number of public policy goals. Many concerns have been raised, and I think most of them have been resolved. But some continue to advocate the abandonment of this area.

It would be impossible to predict what the consequences would be if the Park Service or Federal Government were to try to release this land. It would be tied up for decades in controversy concerning the rezoning of it. So in fact it would have to be mothballed and sitting, of no use to the Federal Government.

We expect that with the actions taken here, the Presidio will largely, based on a private-public partnership, pay its own way. These buildings that will be leased, in fact about half of the space, half of the 6 million square feet, half of that space has already been leased to the State of California and the U.S. 6th Army, which will retain a presence here, but, of course, in a much different mode.

So what is left to do is fund the removal of buildings that have no historical significance, to deal with the housing needs and maintenance of this facility. The legislation before us, one of its primary missions is to set up this special benefit corporation.

The decision on the designation of this area was made in 1972. What we



are doing here 22 years later is responding and putting in place a rational basis in which the National Park Service, and the Department of the Interior, can deal with the responsibility that has been ordained in law, as I said, some 22 years ago.

This bill is subject to appropriations. The Committee on Ways and Means made important changes to the bill. I have some concerns about those changes, but, nevertheless, am willing at this point to continue to work with them.

The Congress will have the opportunity to hold accountable the trust, to hold accountable the Park Service, in terms of review of the dollars being spent. But we need some flexibility.

We have all kinds of speeches in this body about public-private partnerships. This in fact puts in law such a partnership, provides for the expertise of the private sector, and the retention or attainment of the goals that are sought in terms of preservation of this important resource.

This is the cutting edge of what is part and parcel in terms of historical and cultural resource management.

I note my colleagues have complained and pointed out, and rightfully so, the shortfall in terms of the Park Service operating budget. But I would suggest to my colleagues that the answer in that is not by defeating an important resource like this, which I think needs to be addressed. But we need to in fact deal with our priorities and ask ourselves why the parks are not receiving the money that they have been assured through the land and water conservation fund or the historic preservation fund, and why the priorities have not changed, as there is overwhelming support for parks in this country, and why indeed we do not appropriate the proper amounts to the operating funds of these parks.

In terms of trying to address some of the systems, as is being suggested here, does the Park Service really need 5,000 units of housing, when other land management agencies do not find that necessary? We must ask are we getting our fair share of the highway funding and tax dollars that are supposed to flow for roads that help retain and maintain and build the roads to and from and within our parks.

I think there are a lot of questions, and I think very often the Park Service has been shortchanged in these endeavors, Mr. Chairman. But the answer is not in reneging on commitments we made to maintaining and preserving important historic resources such as the Presidio. The answer is in dealing with our priorities and giving the parks the resources they need, not by abandoning those which we are committed to protect.

Mr. Chairman, H.R. 3433 is an important legislative initiative, introduced by Representative PELOSI, and scores of cosponsors in this

House, to provide for the management of the Presidio following the historic transfer of the installation from the U.S. Army to the National Park Service on October 1, 1994. The Presidio is a 1,480 acre military post located at the base of the Golden Gate Bridge in San Francisco. In 1972, Public Law 92-589, which established the Golden Gate National Recreation Area [GGNRA], directed that the Presidio be transferred to the National Park Service and administered as part of the GGNRA when it was determined to be excess to the Army's needs. The 1989 Base Realignment and Closure Commission recommended closure of the Presidio because it was excess to the Army's needs. As a result of this recommendation, the Army stated its intention to vacate the Presidio by October 1, 1994, and transfer all property to the jurisdiction of the Secretary of the Interior. Planning for the transition of the Presidio from the Army to the National Park Service has been ongoing since 1990.

The 1,480 acres of the Presidio consists of park lands, distinctive historic features, unique ecological characteristics, and recreational opportunities. Within the Presidio boundary are significant historic resources representing more than 200 years of military history. The site has been a National Historic Landmark since 1962, recognized as a Spanish colonial military settlement founded in 1776 and as a U.S. Army post from 1846 to the present. Buildings, sites, structures, and objects related to Spanish, Mexican, and American military history have been identified as contributing to its landmark status.

During its 200-year history the Presidio has protected commerce, trade, and migration into the area and has been an influence on the settlement and growth of the West. It has played a logistical role in every major U.S. military engagement since the Mexican-American War. The Presidio's coastal and harbor defense structures display the evolution of such technology from the Civil War through World War II.

Other historical activities and events have contributed to the Presidio's national significance. In 1884, San Francisco National Cemetery was established as a resting place for soldiers and their families. Today it contains over 30,000 interments. In 1898, the Army opened its first general hospital at the post—the Letterman Facility—which has remained at the forefront of military medical research and care to the present day. In the 1920's, Crissy Field, the first Army coastal defense airfield on the Pacific Coast, was built along San Francisco Bay.

Of the total land area of the Presidio, about 700 acres are developed and 780 acres are open space. Within the boundaries are 870 buildings representing architectural styles from every major military construction period since 1848. The historic Presidio Forest is a dominant feature on the post. Designed and planted 100 years ago, it covers about 300 acres of the post, primarily on ridges, along boundaries, and at entrances.

Geological formations, favorable climate, water resources, and open space have contributed to the biological diversity of the site. Ten rare plant communities survive within the Presidio that have disappeared in the rest of San Francisco. Sites throughout the Presidio

provide views of the Pacific Ocean, the Golden Gate, the Marin Headlands, San Francisco Bay, and the skyline of San Francisco. The Presidio also contains numerous recreational resources where visitors hike, bike, and tour scenic trails and drives. The Presidio currently attracts more than 3.5 million visitors every year. Coastal attractions include Baker Beach and the Golden Gate Bridge, the Crissy Field shoreline and Golden Gate Promenade on San Francisco Bay.

The conversion of the 1,480 acre military base into an urban national park presents a number of challenges. Although the National Park Service has inherited properties from the Department of Defense in the past, it has never received a property as large and complex as the Presidio. The Presidio's 870 buildings contain over 6 million square feet of interior space, 1,200 units of housing and an extensive infrastructure system including roads, water systems and electric utilities. Given the unique nature of the Presidio and its resources, innovative approaches and authorities will be needed to manage the Presidio as part of the Golden Gate National Recreation Area. This is especially true in an era of increasing fiscal constraint for the National Park Service.

Although the National Park Service has experience in adaptive reuse and historic leasing, they have never had to manage a park unit with such a large array of buildings, housing, and infrastructure. Early on in the planning process, the National Park Service recognized that managing the Presidio will require skills not typically held by National Park Service personnel including property management, leasing, real estate and finance. H.R. 3433 provides authority to the National Park Service to establish a public benefit government corporation—the Presidio Trust—to manage certain properties of the Presidio consistent with the purposes of the GGNRA and the approved general management plan.

H.R. 3433 is a complex bill which responds to a number of public policy goals. Concerns have been expressed by Members of Congress and the public about the cost of the Presidio in relation to other units of the National Park System and the fiscal constraints facing the system as a whole. Concerns have also been expressed that the Presidio should be managed no differently than any other unit of the National Park System, whatever the costs may be. The Committee on Natural Resources was mindful of these concerns and attempted to craft legislation that both protects the nationally significant resources of the Presidio while at the same time reducing its costs to the taxpayers. The purpose of establishing the Presidio Trust is to have the Presidio managed in a unique and innovative partnership which makes use of private sector resources to promote the public interest.

With regards to costs, I would note that the transfer of the Presidio to the National Park Service will be a significant savings to the Federal Government in comparison to its operation as a military base. The Presidio was operated by the Department of the Army at a cost of some \$60 to \$70 million a year. The Army and the Department of the Interior have calculated the annual cost to operate the Presidio as a national park to be \$38 million.

Thus the taxpayer will be spending significantly less for the operation of the Presidio by the National Park Service and will have an enhanced ability to enjoy its natural, historical and recreational resources.

I would also note the projections of the National Park Service which show that the total funding needs of the Presidio will go down substantially over time, perhaps the only unit of the National Park System where this is the case. This is due to the increasing revenues to be derived from the leasing of Presidio buildings which are expected to offset the need for additional appropriated funds. The committee certainly understands that there are risks associated with a project of this magnitude. Ultimately, there is no way to predict future economic trends or tenant behavior or other factors which may influence the revenue generating capabilities of the Presidio. Professionals in the field of real estate management are optimistic about the Presidio's ability to attract a critical mass of high quality tenants. We intend to carefully monitor the activities of the National Park Service and the Presidio Trust to see if modifications in authorities are needed. I am aware that some concerns have been expressed about the level of autonomy and accountability of the Presidio Trust. As such, the bill clearly defines the Presidio Trust as a Government corporation subject to all Government laws except those specifically exempted. The Presidio Trust is established within the Department of the Interior, and its budget will be formulated through and in consultation with the Secretary of the Interior. The activities of the National Park Service and the Trust will be monitored closely by the authorizing and appropriations committees of Congress. The bill ensures that the activities of the Trust are consistent with both the purposes of the act establishing GGNRA and the approved general management plan. The Director of the National Park Service will serve on the Board of the Presidio Trust, as do two other Federal officials. The Secretary of the Interior has the authority to review major leases for consistency with the general management plan. The bill also contains a number of other provisions to increase accountability including requirements for public meetings and maintaining liaison with the GGNRA Advisory Commission as well as other financial reporting requirements.

The bill before the House today contains amendments recommended by the Committee on Ways and Means. The amendments will have a significant impact on how the rehabilitation of the hundreds of buildings located on the Presidio will be financed. Rather than obtain loans through direct borrowing from the Treasury, which were to have been paid back from lease revenues, the bill now places such borrowing subject to appropriations. Nonetheless, this bill must move forward in order to place the National Park Service in a position to bring this significant national resource into the National Park System. For regardless of what we do or say here today, the Presidio will become part of the GGNRA on October 1, 1994.

H.R. 3433 is an important measure which provides for the responsible management of the numerous nationally significant resources of the Presidio. I would urge Members to support the bill and resist any weakening amendments that may be offered.

Mr. Chairman, I reserve the balance of my time.

Mr. HANSEN. Mr. Chairman, I yield 3½ minutes to the distinguished gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, there is no doubt that the Presidio is one of the most scenic and historic areas in the Nation. Why, then, are we forcing our park system to shoulder the enormous costs of what will certainly be our most expensive acquisition yet, when we cannot make ends meet for other national treasures? Contained in this legislation is Government assistance for movie theaters and bowling alleys while at the same time the Park Service is complaining that it does not have adequate personnel to man park entrances. If that was not enough, the Park Service is cutting 1,200 positions this year. Staffing the Presidio will require 350 additional employees, making an already unacceptable situation worse.

Let us look at the facts. The Park Service is faced with a 37-year, \$5.6 billion backlog in its construction budget, a \$1.2 billion shortfall in its land acquisition account, and a \$400 million operations shortfall. The nearly 1,500 acre Presidio will cost an additional \$25 million annually. By comparison, the entire 2.2 million acres of Yellowstone Park, unarguably more of a natural wonder than an old Army base, is appropriated only \$17 million. Congress has decided that there will be no increase in money for the Park Service, so why are we loading this legislation on the back of a system which is already overwhelmed?

As an appropriator, I have other concerns which deal with accountability to the American taxpayer. This bill authorizes the creation of a corporation within the Department of the Interior and grants this corporation unprecedented powers to operate simultaneously as both a Government and non-Government entity. This entity is not subject to many Federal controls. How can we authorize any entity to spend taxpayers' money without accountability?

If that was not enough, the bill also inflicts Davis-Bacon requirements on construction projects at the Presidio. While this would not be any big surprise if it were a Federal construction project, the fact is that most of the funds for construction will be private. This legislation is precedent setting in that it extends Davis-Bacon rules and regulations to private money. Davis-Bacon is a Federal law intended to cover Federal projects. There is no basis whatsoever to extend these onerous rules and regulations to the private sector. Davis-Bacon requirements have been proved to add an additional 5 to 15 percent to construction costs for no other reason than to line the pockets of the unions. This is an outrage.

Despite the fact that this park will largely benefit San Francisco and the State of California, this bill neither asks for, nor do the parties offer, any payment or assistance to alleviate the enormous costs. Recently, Californians rejected a referendum that would have approved a State bond issues to finance parks and historic sites. Of course, if the Federal Government wants to spend money for such projects, Californians have no objection whatsoever.

Let us get in tune with what is happening here. We cannot afford to continue designating every historic site and environmentally fragile area as a national park. Those areas that we do designate, we should be able to adequately fund. This bill has serious flaws and I ask all Members to defeat it.

Mr. VENTO. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina [Mr. RAVENEL], a supporter of the bill.

Mr. RAVENEL. Mr. Chairman, I am a cosponsor of this legislation. I do not know how many of you Members have been out there and taken a look at the Presidio. But it would just be unconscionable to me that this Congress does not take this opportunity, which could not be a rarer opportunity, to incorporate 1,400 acres in downtown San Francisco, which is so absolutely starved for open spaces, green spaces in particular.

□ 1440

The concept is innovative and it is a new type concept. It is going to be a public/private enterprise. I do not know how many of my colleagues have taken the trouble to read the brochure that has been brought out on it. It is just simply marvelous.

After I read it, I was absolutely convinced that the bill of the gentlewoman from California [Ms. PELOSI] was the right way to go. Those of us in Charleston, where we have 1500 acres right there on the Cooper River and we are in the throes now of redeveloping that property, we are looking very keenly at what is being done out here in the San Francisco area with the Presidio as a guide for us.

Mr. HANSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. ALLARD].

Mr. ALLARD. Mr. Chairman, I thank the gentleman for yielding time to me.

I rise in opposition to 3433, and I think we are talking about priorities in the National Park System. When most of us visit our Nation's parks, we have an idea of what we expect to see in our national parks.

Here we are, we are talking about spending millions and millions of dollars of taxpayers' money on the presidio. Let me show colleagues some of the things that our money is buying.

Right here we have the only pet cemetery in the National Park Service. Is



that what we expect to see when we visit our Nation's parks? Right here we have one of two hospitals totaling 800,000 square feet. Again, I ask my colleagues, is this what we expect as Americans spending all our tax dollars on parks to see in our National Park System. I do not believe so.

Let me talk about another area. We have one of two Presidio bowling alleys. I do not believe that the American people really want to see their tax dollars go for this purpose. Is this really what they had in mind when they were designating those dollars for pristine areas?

Next here is some of the over 400 residences and dormitories, totaling 2.5 million square feet in the Presidio. I do not believe this is what the American people want to see in their park system.

Right here we have the only Burger King in the National Park System. Again, I ask my colleagues, as American taxpayers, is this where we expect our tax paying dollars to be spent? I do not believe so. This is not what I perceive our priorities should be in the National Park System. I do not think the American taxpayer expects to have their dollars spent in this manner. They truly want to see their tax dollars go to parks that are going to preserve a pristine area, that is going to preserve the beauty of this country.

Mr. ARCHER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first let me stipulate that the Presidio is unusual and historic and, yes, a national treasure. But the troublesome issue with this bill, as it came to us, was the unlimited, direct borrowing authority, not subject to appropriations, that was granted specially and uniquely to the Presidio and to no other park in the United States of America.

In order to be a national park, I looked up the criteria today. I am going to read two of the four requirements, which all must be met in order for any location to be designated a national park.

First, an outstanding example of a particular type of resource. Second, possesses exceptional value or quality. The Presidio meets those criteria. But so do all of the other national parks in this country today, which are suffering, as we have just heard, from lack of resources to do their job, to make them suitable for public enjoyment.

The trust that would be created uniquely for the Presidio under this legislation would have allowed, in effect, that trust to issue public debt without accountability to the budget, without accountability to the appropriations project. And they would do this through a unique creative mechanism whereby the Treasury could off-budget, directly borrow, up to \$150 million, thereby directly increasing the national debt.

The basic issue of increasing the public debt through off-budget financing, which, in effect, creates a new entitlement program, should concern all of us. So in committee, I offered an amendment, which was adopted on a bipartisan 18 to 16 vote, to restrict any Treasury purchase of Presidio debt to only those amounts already appropriated within existing Federal spending caps. The Presidio should have to compete with all of the other national parks as national treasures for adequate funding.

That amendment, which remains in the bill before us today, prevented the financing structure of the Presidio from increasing the Federal deficit and debt, which would be left to our children and their children forever, by \$150 million over the next 5 years.

If this bill is approved today, it is extremely important that we preserve that important financing restriction throughout the legislative consideration of this measure. I want to serve notice right now that I will personally lead the fight to eliminate any effort, coming back from the Senate or in a conference report, to restore the kind of off-budget financing for the Presidio which my amendment addressed.

The Presidio is truly a beautiful place. I have been there. It will continue to be a beautiful place when the National Park Service takes it over. As I mentioned, it meets the criteria for a national park, but that alone is not sufficient cause to bypass the budget constraints that we have struggled to uphold. As beautiful as the Presidio is, I cannot justify leaving our children and grandchildren with more bills to pay for a brand new specific entitlement program, nor can I justify the enormous precedent this would set for funding other such projects outside the constraints of our budget law.

As it stands now, the Presidio bill will compete for appropriations, along with every other worthy project the Members of this body want to see funded by Federal tax dollars. Members will have to make tough choices, and that is the way it should be. That is what our tax paying public expects of us.

Mr. Chairman, I intend to continue to try to make any of these kinds of programs fiscally responsible. I still question spending another \$150 million, even though it might work under the spending caps. And I also question the inclusion of the Davis-Bacon Act.

Mr. Chairman, I reserve the balance of my time.

Mr. GIBBONS. Mr. Chairman, I yield myself such time as I may consume.

I rise to support the legislation that we have before us now. It was referred to the Committee on Ways and Means because of some unique financing and tax exemption provisions in here. We worked cooperatively with the Committee on Natural Resources, and I believe we came up with an acceptable arrangement.

We want to make it very clear, though, that the bill, as reported by the Committee on Natural Resources, contained really an exception to the normal funding process. It should never be used in the future for any project that is or is not unique, like the Presidio.

One of the problems we have here is that earlier Congress decided that the Presidio, when it ceased to be used as a military installation, would be made a part of the National Park Service; would become part of the national park system. That was probably a good decision because the Presidio is so unique. However, it requires so much funding that it would completely disrupt the rest of the Park Service budget, if funded in the conventional manner. The Natural Resources Committee arranged unique funding for the Presidio.

In light of the Ways and Means Committee's actions, essentially, we expect that the managers of the Presidio Trust, when they take over, will organize a 501(c)(3) corporation. Any debt obligations that the Presidio trust may issue would be purchased only by the Department of the Treasury. Treasury's purchase of that debt would be limited \$150 million outstanding at any one time, and would be at the Treasury's discretion based on their assessment of the creditworthiness of the trust's projects. The Treasury would be there to ride herd over the 501(c)(3) corporation by controlling its borrowing.

□ 1450

Additionally, any borrowing by the Presidio Trust would be fully subject to the customary budget process. Treasury's lending to the Presidio Trust would be subject to advance appropriations. It would be scored as the rest of the budget process is scored.

Mr. Chairman, I think, considering the national treasure that we have in the Presidio, and the fact that this bill attempts to guarantee that the Presidio will always be available to the public as a great national asset, that this is the acceptable method of getting this work done.

Mr. Chairman, the Committee on Ways and Means wants to point out that we hope we will not need to do this again for any other project. That is the reason why we have changed the funding procedure. We recognize the uniqueness of this project.

Mr. Chairman, I yield back the balance of my time.

Mr. VENTO. Mr. Chairman, I yield 7 minutes to the gentlewoman from San Francisco, CA [Ms. PELOSI], the principal sponsor of this measure.

Ms. PELOSI. Mr. Chairman, I thank the gentleman from Minnesota for yielding time to me.

Mr. Chairman, it is a proud day for me to be able to come to the floor of this House of Representatives to talk to my colleagues about the Presidio of

San Francisco. I urge them to support my legislation, which outlines a plan for cost savings to the American taxpayers that could, for the first time, actually reduce Federal costs for a national park. I am very proud of the 124 of our colleagues who have placed their names on this legislation as cosponsors. I am also very proud of the fact that I can come here today and say to my colleagues that we have the support of the environmental community and of the business community, of labor, of the academic community, and the arts. The League of Women Voters has lobbied on Capitol Hill for this legislation. I think it is very unusual that we are able to build a national constituency for this national park, and one that is diverse and ardent.

Mr. Chairman, I particularly want to thank the gentleman from California, GEORGE MILLER, Chairman of the Committee on Natural Resources, and the gentleman from Minnesota, Mr. BRUCE VENTO, subcommittee chairman, who have been essential to the success of this legislation. They have contributed immeasurably to bringing it to the floor, and I appreciate their efforts. They are true champions of the Presidio in the tradition of Philip Burton, a colleague of so many of the Members here.

Mr. Chairman, the reason that we are here today is not to see if we can make the Presidio a national park. We are here because the Presidio will become a national park. In 1972, Philip Burton, in his great wisdom, passed legislation designating the Presidio a national park when the properties were in excess of the needs of the Department of Commerce. Under the 1988 base closure law, the Army determined that the Presidio's lands were in excess of its needs, and recommended that the base be closed.

Subsequent to that, Mr. Chairman, BRAC decided that a small contingent of the Sixth Army would remain at the Presidio, so the Presidio will be a park, and the Army will be a tenant of the National Park Service. We are proceeding with this legislation to provide the maximum access for the public to this magnificent area, with a minimum of exposure to the taxpayers.

The Presidio will not only be a park, it will be a park for the 21st century, in which the concepts of environmental sustainability, innovative technology, and environmental education and stewardship can be brought to reality. H.R. 3433 would create a nonprofit, public benefit trust to rehabilitate, lease, and manage the bulk of Presidio properties, while the Park Service would be responsible for the traditional management of open space areas. Cost savings would be achieved by introducing certain private sector management techniques to the administration of the Presidio.

The Presidio Trust will be a reinventing government model of private-public sector management.

Private sector management techniques would be combined with public sector control and accountability to maximize Federal spending at the Presidio.

Mr. Chairman, my full statement for the RECORD goes into more detail about the participation of the private sector and involvement of the Presidio Council, which is a national private group, in obtaining the \$2.5 million in paid or pro bono services of independent financial management experts.

The Presidio conversion quite possibly has had the benefit of more outside, objective analysis than any other base closure in history. Mr. Chairman, I would like to submit for the RECORD a list of private organizations, and I referred them earlier, but I will submit that list for the RECORD.

Mr. Chairman, at the conclusion of this process of examining different models, the passage of this legislation, America will have a 21st century national park dedicated to the stewardship of the world's human and physical resources through global cooperation. As a national park, the Presidio will build on the significance of its past to become one of America's most prominent and innovative urban parks.

Mr. Chairman, there are three characteristics that I want to call to our colleagues' attention. The Presidio's historic attributes have been judged so significant that in 1962, the entire base was declared a national historic landmark. It is rich in military history, and I will submit that history for the RECORD.

Second, Mr. Chairman, the post's biological diversity and rare ecosystems caused it to be declared the world's only urban international biosphere reserve. The Presidio's coastal bluffs about the Nation's largest chain of marine sanctuaries.

Third, Mr. Chairman, the Presidio is located amid some of the most magnificent scenery in the world. Anchoring the Golden Gate Bridge, the Presidio guards the rugged and strategically important confluence of the San Francisco Bay and the Pacific Ocean.

The post is located in this unusual combination of scenic, natural, and historic values that caused Congress to mandate in 1972 that the Presidio should become the centerpiece of the Golden Gate National Recreation Area, once it is no longer needed for military purposes.

Now I would like to address some of the statements made by some of our colleagues. The Golden Gate National Recreation Area, of which the Presidio is part, is the most visited park in the nation, with 20 million visitors a year.

The Federal cost per visitor to the GGNRA and the Presidio is \$2, while other parks can account for as much as

\$13 per visitor. More visitors come to the GGNRA each year than Yellowstone, Yosemite, and Grand Canyon combined. I respect those great national parks, but the fact is that more come to the GGNRA than all three of them combined.

Mr. Chairman, I would like to quote from a former Secretary of the Interior, Secretary Hickel, who said "Our existing national parks are unique, strikingly beautiful, and absolutely necessary elements of nature's wild systems, but they are located in areas remote from the less affluent members of our society. Many of our people cannot get to parks. Therefore, we must get parks to the people."

That is what the Presidio does? It is an urban park that is readily accessible to the people. If we are serious about reinventing and streamlining government, if we really want to save the taxpayers money, then I urge our colleagues to support my legislation.

The gentleman from Colorado [Mr. ALLARD] showed some posters there of different aspects of the Presidio, and in fact what he was describing was the morale and recreation program of the Army.

Yes, indeed, we do have a pet cemetery. It is managed by the Boy Scouts. It is an Army facility. I think it is not anything to be mocked, but something that is appreciated by the Army personnel who live at the Presidio.

Yes, they do have bowling alleys, because that is something that the Army wants for its personnel. The Army will be there. The Army will be using those facilities.

What we are talking about is maintaining and operating a national park of national and international significance, one that I say to my colleagues I do not ask you lightly to support. I am asking you to be part of something great for this country. Please vote for this legislation. It is a vote that you will be very proud of.

Mr. Chairman, for the RECORD, I include the material referred to earlier:

#### SUPPORT FOR H.R. 3433

Governor Wilson, State of California.  
State Assembly, California Legislature.  
Mayor Jordan, City of San Francisco.  
Board of Supervisors, City of San Francisco.  
American Federation of Labor and Congress of Industrial Organizations.  
American Institute of Architects.  
American Society of Landscape Architects.  
Asian American Architects and Engineers.  
Bay Area Council.  
Bay Area Economic Forum.  
Brett Marte Terrace and Francisco Street Neighborhood Association.  
Earth Island Institute.  
Environmental Defense Fund.  
Fort Mason Center.  
Friends of the Earth.  
Golden Gate National Park Association.  
Golden Gate National Recreation Area Advisory Commission.  
Hispanic Contractors Association.  
Laborers' International Union of North America.



League of Conservation Voters.  
 League of Women Voters of California.  
 League of Women Voters of San Francisco.  
 League of Women Voters of the United States.  
 Los Californianos.  
 National Audubon Society.  
 National Park System Advisory Board.  
 National Parks and Conservation Association.  
 National Japanese American Historical Society.  
 Natural Resources Defense Council.  
 Neighborhood Associations for Presidio Planning.  
 North Beach Neighbors.  
 People for a Golden Gate National Recreation Area.  
 Presidio Council.  
 Presidio Heights Association of Neighbors.  
 San Francisco Bay Area Interfaith Coalition.  
 San Francisco Chamber of Commerce.  
 San Francisco Hispanic Chamber of Commerce.  
 San Francisco Chronicle.  
 San Francisco Examiner.  
 San Francisco Independent.  
 San Francisco Planning and Urban Research Association.  
 Sierra Club.  
 Sierra Club of San Francisco.  
 Travel Industry Association of America.  
 Trust for Public Land.  
 United Brotherhood of Carpenters and Joiners of America.  
 Wilderness Society.

#### THE PRESIDIO COUNCIL,

*San Francisco, CA, August 17, 1994.*

DEAR MEMBER OF CONGRESS: We are writing once again to urge you to vote for H.R. 3433 when the bill comes to the floor this week.

H.R. 3433, introduced by Congresswoman Nancy Pelosi, is designed to create savings at the Presidio, which becomes part of the national park system in October of this year. Inclusion of the Presidio in the Golden Gate National Recreation Area was mandated by Congress in 1972. Because the park is already federal land, there will be no acquisition costs associated with the Presidio's transfer to the Park Service.

The bill under consideration would not create a new park; it would establish a more cost-effective management structure for an existing park. The "Presidio Trust" that would be created by the bill is expected to reduce the cost of operating the park substantially by employing private sector property management techniques to rehabilitate and lease facilities to park tenants. Revenues from these tenants will be used to offset federal costs.

H.R. 3433 is a good government approach to managing the Presidio as a national park. The bill's approach is based on recommendations of a wide variety of experienced independent financial and managerial experts.

We believe H.R. 3433 would result in a magnificent national park and savings for the American taxpayer. We urge you to vote YES on H.R. 3433 and against any weakening amendments.

Sincerely,

JAMES R. HARVEY,  
 Chair, Presidio Council; Chair, Trans-america Corporation.

TOBY ROSENBLATT,  
 Chair, Golden Gate National Park Association.

For the Presidio Council:  
 Patrick Foley, Chair and CEO, DHL Airways, Inc.

John Bryson, Chair and CEO, Southern California Edison.

M.J. Brodie, Former Executive Director, Pennsylvania Avenue Development Corp.; Senior VP, RTKL.

Walter A. Haas, Jr., Honorary Chair of the Board, Levi Strauss & Co.

James P. Miscoll, Vice Chairman (Ret.), Bank of America.

Roger Heyns, President, The William and Flora Hewlett Foundation, (Ret).

Bruce Spivey, MD, President and CEO, Northwest Healthcare System.

Richard A. Clarke, Chair and CEO, Pacific Gas and Electric Co.

Virginia Smith, President Emerita, Vassar College.

Herman Gallegos, Chair, Gallegos Institutional Investors Corp.

Gyo Obata, Chairman and CEO, Hellmuth, Obata, & Kassabaum, Inc.

John W. Gardner, Stanford Graduate School of Business and former U.S. Secretary of H.E.W.

Francis Ford Coppola, President, American Zoetrope.

Roy Eisenhardt, Vice Chair, Presidio Council.

John Sawhill, President and CEO, The Nature Conservancy.

Joan Abrahamson, President, The Jefferson Institute.

Carl Anthony, President, Earth Island Institute.

Edward Blakely, Professor, College of Environmental Design, University of California.

Rodger Boyd, Executive Director, Economic Development, Navajo Nation.

Dr. Noel J. Brown, Director, Regional Office for North America, UNEP.

Adele Chatfield-Taylor, President, The American Academy in Rome.

Robert K. Dawson, Vice Chair, Cassidy and Associates.

Tully M. Friedman, Hellman & Friedman.

Jewelle Taylor Gibbs, Professor, University of California.

William Graves, Editor, National Geographic Society.

Antonia Hernandez, President/General Counsel, Mexican American Legal Defense and Education Fund.

Maya Lin, Architect and Designer, Vietnam Veterans Memorial.

Ellen Ramsey Sanger, Coro Foundation.

Lucy Shapiro, Ph.D., Chair, Dept. of Developmental Biology, Stanford Univ. School of Medicine.

Mimi Silbert, President and CEO, Delancey Street Foundation.

Richard Allan Trudell, Executive Director, AILTP/American Indian Resources Institute.

Dr. Robin W. Winks, Townsend Professor and Chair, Yale University.

In 1972, Phillip Burton passed a law designating the Presidio a national park when its properties were no longer required by the Department of Defense.

Under the 1988 base closure, the Army determined that the Presidio's lands were excess to its needs and recommended that the base be closed. In 1993, the Base Closure Commission revisited and revised their decision by recommending that a small contingent of the 6th Army remain at the Presidio. The recommendation was adopted and as a result, the 6th Army headquarters will remain as a park partner at the Presidio. The remaining

Army functions at the Presidio will be terminated and ownership of the Presidio will transfer to the National Park Service effective October 1, 1994.

Cost savings would be achieved by introducing certain private-sector management techniques to the administration of the Presidio.

Authorities for the Presidio Trust would include: A reinventing Government model of private-sector management; Relief from some of the regulatory burdens borne by Government agencies; A private sector skill base; Centralized responsibility for building upgrades; and Retention of revenues to continue rehabilitation of properties.

These private sector management techniques would be combined with public sector control and accountability to maximize Federal savings at the Presidio.

The Presidio Council, comprised of prominent professionals from the fields of business, finance, education, architecture and planning, Government and philanthropy, was formed in 1991 to provide the Park Service with assistance in converting the Presidio to a national park. In the past 3 years, the Council has obtained nearly \$2.5 million in paid or pro bono services of independent financial and management experts. The list of consultants who have studied this project include Arthur Anderson & Co., McKinsey & Co., Keyser Marston Associates, Mancini-Mills and the law firm of Morrison and Foerster.

The public benefit corporation established in H.R. 3433 is based on the results of this analysis. In developing the blueprint for the Presidio Trust, 19 public-private management models in the United States and Canada were studied. Specific qualities of the Presidio were then considered and a management model and financial strategy developed. The Presidio conversion quite possibly has had the benefit of more outside objectives analysis than any other base closure in the country. H.R. 3433 is the culmination of this process.

As we consider H.R. 3433 today, steps are already underway to secure major tenants in order to generate needed revenues for the park. Negotiations are in progress to obtain an anchor tenant for the park's biggest income producing property—the Letterman-LAIR complex; The University of California, San Francisco, and the Tides Foundation are under active consideration for this space at the Presidio. The Presidio Trust must engage good tenants who will pay fair market value and contribute to the objectives of the park.

The Army will remain on a limited basis as a park partner. It will occupy 1.8 million square feet of the Presidio's total 6 million square feet and contribute to park operations. Other current tenants include: Red Cross, FEMA, the Gorbachev Foundation, U.S. Postal Service, the U.S. Department of Agriculture, the National Oceanic and Atmospheric Administration and Clean Sites.

Altogether, the Park Service has received over 400 responses to the Call for Interest from individuals requesting space at the Presidio.

The Park Service has been preparing for this transfer for almost 5 years. Its General Management Plan for the Presidio will be finalized this month and an agreement will be

signed between Army and Interior for reuse of some military facilities.

In addition to the progress on tenants, a philanthropic plan has been finalized which projects a sizable contribution to the overall financial viability of the Presidio. Under the leadership of the Golden Gate National Park Association, the philanthropic community is being mobilized in an effort to achieve the goal of \$30 million in contributions within the next 15 years.

The word that most aptly characterizes the current state of affairs at the Presidio is "momentum." As we approach the official transfer of the post to the Park Service, there is a solid conversion plan based on extensive analysis, a Park Service General Management Plan that is being finalized this month, an accord between the U.S. 6th Army and the Park Service that will maintain a limited Army presence at the park and will reduce Interior Department costs, a major lease for 1.3 million square feet of building space at Letterman/LAIR is under negotiation, and a philanthropic campaign is in progress. H.R. 3433, creating the overarching management structure, is a critical component of the conversion and essential to maintaining the momentum that we are now experiencing at the Presidio.

At the conclusion of this conversion process, America will have a 21st century national park dedicated to the stewardship of the world's human and physical resources through global cooperation. As a national park, the Presidio will build on the significance of its past to become one of America's most prominent and innovative urban parks. Its conversion from a military post to a national park will also demonstrate to America and the world the importance that we place on educating the future by interpreting the past.

We will have also preserved a place unique in American history—a place which has blended history, architecture, biological diversity and scenic beauty in the national interest since it was obtained from Mexico in 1846.

I am convinced of the wide range of possibilities that exist at the Presidio and consider this venture a challenge to our collective creativity. I also believe that the members of this body will meet this challenge and work to develop a national park that will make us proud of its contribution to the national system.

The conversion of the Presidio, from post to park, on September 30, marks an unprecedented opportunity to reshape a cultural and human-made resource into a world-class urban park and global center for seeking solutions to problems of the natural and human environments.

I urge my colleagues to vote for H.R. 3433. Mr. HANSEN. Mr. Chairman, I yield myself 6 minutes.

Mr. Chairman, I have great respect for the gentlewoman who just spoke, and I can see that she represents her area very well. I know when most of us were elected to this body, we came here to be fiscally responsible, and everybody who campaigned talked about the idea, how they were going to straighten up the budget. They would do everything in their power to live within our means.

Our Founding Fathers gave a lot of great talks in this city about living

within our means and not going beyond that. However, now we find ourselves in a huge deficit. It does not come by huge things, it comes by \$1 million here, \$1 million there, and before you know it, we have trillions of dollars that we are in debt.

Mr. Chairman, we have at this particular time 368 parks. I would hope that Members, as they go this summer, if we get any vacation, if they go to some of these parks, that they go see the superintendent, take time to talk to the superintendent in whatever State they are in.

Go to Yellowstone, go to Yosemite, go to Grand Canyon, Zion, Bryce, Great Smokies, whatever it may be, and ask the superintendent, "Do you have enough money to just handle the infrastructure, the roads, the buildings, the sewer lines, the water lines?" He will say, "No, we are falling apart."

We know ourselves that we have an \$800 million operation shortfall. We are 37 years behind on our construction, and we are 25 years behind on our land acquisition.

□ 1500

Here we are, Mr. Chairman. We are standing here today saying to the people, "Hey, we don't care about your tax-paying dollars. We're just going to go spend, spend, spend." That is the theory around here. What is wrong with San Francisco taking this over if they want this so bad?

What we are creating today is a city park for San Francisco paid for by Government funds. I really cannot understand why the other 49 States want a city park or feel that that is the kind of thing that they want.

I really feel that running pell-mell into debt for this tremendous amount of money does not make much sense.

Mr. Chairman, I would hope you would listen to this. We have a Secretary by the name of Bruce Babbitt. Bruce Babbitt is a very liberal man who believes in all of these things. But he was asked a question the other day regarding a Fort Wadsworth. Let me say this about Fort Wadsworth. Recently on the east coast, Secretary Babbitt has adopted an approach identical to what we have got here dealing with surplus military property located within the boundaries of Gateway National Recreation Area in New York. The facts of these 2 cases bear an uncanny similarity. A military base, Fort Wadsworth, entirely within the authorized boundary of Gateway National Recreation Area in New York City within the last year has been declared surplus to the needs of the Navy. Same as the Presidio, surplus to the needs of the Army. It also contains a collection of both historic and nonhistoric facilities, but the major difference is that the facilities at Fort Wadsworth are in very good condition compared to those at the Presidio. Not only is there a

minimal development cost but the annual operating costs are only 25 percent of the cost of operating the Presidio.

Keep in mind, Members watching in your offices, look at this comparison. However, on June 15, the Secretary of the Interior wrote to the Secretary of the Navy as follows:

Increasingly in a period of severely limited resources, the National Park Service must focus on protecting resources directly related to the mission of the agency. After a Department of the Interior review of the Fort Wadsworth acquisition in early June of this year, we are extremely concerned about the inappropriateness of the National Park Service acquisition of facilities not directly related to accomplishing its mission, and further the absence of any specific appropriations or positions for the National Park Service stewardship of this property.

Mr. ARCHER. Mr. Chairman, will the gentleman yield?

Mr. HANSEN. I yield to the gentleman from Texas.

Mr. ARCHER. Mr. Chairman, I ask unanimous consent to yield the balance of my time to the gentleman from Utah to yield as he sees fit.

The CHAIRMAN. Without objection, the gentleman from Utah [Mr. HANSEN] is yielded an additional 10 minutes.

There was no objection.

Mr. HANSEN. Mr. Chairman, I am back on the Wadsworth-Presidio comparison.

Due to these concerns and the reality that funds will be difficult to obtain in the foreseeable future, we simply cannot afford to manage Fort Wadsworth as a National Park Service site as presently configured.

There is the Secretary of the Interior, Mr. Babbitt. He takes Fort Wadsworth, which is in better shape than the Presidio, and says we cannot afford it.

I just ask my colleagues, if we want to go ahead and dig a deeper hole into debt, go ahead and vote for this. I agree with the gentlewoman from California, it is a beautiful spot, it is an outstanding spot. But can we afford everything, can we buy everything we want? That is the reason we are in debt. I would just respectfully say, let us reject this particular bill and let us let the City of San Francisco take this.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. HANSEN. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Chairman, the gentleman knows that unlike the Presidio where there was a conscious decision and an evaluation of the Presidio for inclusion into the National Park System and a law passed by the Congress to do so, in the Wadsworth situation, what you had was the State of New York trying to foist off onto Fort Wadsworth to prevent other actions from taking place with respect to the housing on the base that they did not want to have happen in their community. They were trying to use



the Park Service to circumvent the law around BRAC and about the use of the facilities in the community. That is what was going on there. That had nothing to do, and the Secretary made the proper decision in that case.

Mr. HANSEN. If I may respond, in 1972, the Gateway Park that was right there was put in the same category as the Presidio, and I think the gentleman can find that in the RECORD.

Mr. MILLER of California. If the gentleman will yield further, the intent in the Wadsworth case was the community trying to avoid having housing opened up to the community generally or to the homeless or what have you. An entirely different intent. Nothing to do with the Park Service. I appreciate that Gateway is a wonderful facility.

Mr. GIBBONS. Mr. Chairman, I ask unanimous consent to reclaim my time.

The CHAIRMAN. Without objection the gentleman from Florida reclaims his 12 minutes.

There was no objection.

Mr. GIBBONS. Mr. Chairman, I ask unanimous consent to yield my time, for purposes of control, to the gentleman from Minnesota [Mr. VENTO.]

The CHAIRMAN. Without objection the gentleman from Minnesota will be given the 12 minutes.

There was no objection.

Mr. VENTO. Mr. Chairman, I yield myself 1 minute, and I would just point out to my colleague, the gentleman from Utah that the taxpayers did elect us to make prudent, fiscal, responsible decisions. The fact of the matter is that by establishing this public-private partnership, Members of Congress can vote for this and in fact can save the Federal Government money. We can make certain that these buildings do not end up boarded up and shut up like some of the buildings in Gateway National Recreation Area. I visited that park and I would point out to the gentleman, they have a movie theater there, and it is boarded up. They have bowling alleys and they are not being used. They have housing units that are empty and not being used. It is a more remote area, it is not a complete corollary, but the point is that that is an example of just transferring things over to the Park Service and then not having anything happen with them. The problem is, what we are trying to do is avoid that particular situation at the Presidio. The best way to save the taxpayers money is to provide for this public-private partnership that the gentleman from California [Ms. PELOSI] is advocating in the legislation before us. So the idea that the military has built a lot of facilities that are inappropriate is hardly the issue. The issue is how are we going to take care of the Presidio as we move forward.

Mr. Chairman, I yield 1½ minutes to the gentleman from Hawaii [Mr. ABERCROMBIE].

Mr. ABERCROMBIE. Mr. Chairman, in the context of the general discussion about the Presidio, some commentary has been made by a couple of the Members with respect to the Davis-Bacon Act. I am sure everyone is familiar with it, but nonetheless, let us just go over what is involved here and I hope we will not have this discussion because I think it will only prolong and interrupt what is otherwise a discussion well worth pursuing. The bill's provisions with respect to the projects that are to be funded by the Presidio trust have in them the Davis-Bacon standards. All that is involved in the Presidio trust for Members who may not be totally familiar with the legislation is as a Government corporation, the Presidio Trust is subject to Davis-Bacon and the Davis-Bacon provisions simply establish the prevailing wage standards. Surely with all of the photos that we saw of the various projects including hospitals and everything else that is in the Presidio right now, we would want the prevailing wage standards to be in this legislation. It is consistent with dozens and dozens of national park projects that are federally financed and federally assisted construction projects.

I do hope we will not get into a side discussion at this time about Davis-Bacon. I think that should be saved for Labor-Education Committee activity.

Mr. HANSEN. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Tennessee [Mr. DUNCAN].

Mr. DUNCAN. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I rise in opposition to this bill. I have twice offered amendments to hold down the funding for the Presidio or the conversion of it into a national park, not to eliminate funding but to at least hold it down to some reasonable level. I am not leading the charge this time and I have been asked about this, but let me make it clear—I am still very much opposed to this bill. I think it very much shortchanges and will be very harmful to all our other parks.

Our other units of the national park system, some 368, in number, are already underfunded. The National Park Service says there is a \$5.6 billion construction backlog. There is a \$1.2 billion shortfall in acquisition funding and a \$400 million shortage in operating funding each year. There is a portion of the Presidio that should be protected as a national park. The Park Service recommended many years ago that roughly 20 percent along the shore, that that be protected as a park. Certainly I do not think anyone objects to that.

□ 1510

But to convert this entire military base into a national park, the General Accounting Office has estimated it

could cost as much as \$1.2 billion over the course of the next 15 years. I certainly do not think that the Federal Government should carry this burden alone. As bad a shape financially as our cities are in, still they are in better financial shape than in our Federal Government. As bad as shape financially as our State governments are in, they are not in as bad a shape as our Federal Government. This Federal Government is over \$4.5 trillion in debt. We are still losing hundreds of millions of dollars each day on top of that.

So I would say that at least the city could do some part of this, let the State do their share. That is why I particularly support the amendment of my friend, the gentleman from Colorado [Mr. ALLARD]. I also support the amendment by my friend, the gentleman from Minnesota [Mr. GRAMS], that I think he is going to propose to put a cap on this spending at \$25 million each year.

The National Park Service has estimated that to operate the Presidio as a park could cost \$45 million a year. That is three times what is spent each year on the Yosemite National Park, three times what is spent each year on the Yellowstone Park and five times the rate of spending at Great Smoky Mountains National Park. Even if the amendment to cap the spending at \$25 million a year is adopted, that would still make the Presidio the most expensive national park in this country.

All of this is being done to protect areas that include a pet cemetery, a Burger King, an old bowling alley, a movie theater, many rundown acres of 1950's rambler-style housing, and many other things I do not think one would classify as national park material.

I would say I would urge adoption of some of these amendments that would at least make this a little better bill, and I urge defeat of the overall legislation. I think as I said earlier that it would be very harmful to our other national park units in this country, and I thank the gentleman for yielding the time.

Mr. VENTO. Mr. Chairman, I am pleased to yield 2 minutes to the dean of the California delegation, Mr. EDWARDS.

Mr. EDWARDS of California. Mr. Chairman, I thank the chairman for yielding me this time.

Mr. Chairman, this is a very important bill. The Presidio is one of our great national treasures, not just for the West Coast, not just California. It is unique. Its history goes back to 1776 when the first Spanish forts were established, and for the entire time since then it has been very involved in all of the wars that the United States has been involved in.

It is so unique because it is an urban park in the midst of many millions of people, 5 million, 6 million, 7 million people. I know the people from my city

of San Jose, some 30 or 40 miles south of San Francisco, on public transit can come and do come and join the 20 million tourists and visitors that visit this area every single year, as the gentlewoman from California [Ms. PELOSI], author of the bill pointed out, more visitors than the three great parks, Yosemite, Grand Canyon, and Yellowstone have visitors in 1 year. I think that is unique. They get there on public transportation from across the bay, Oakland, Alameda and all of the great East Bay people, children, and classes can come and do come. This must not be lost. This is the only way that it can be handled in an economical way with the Presidio trust, a system, a device that has been used successfully. It is by far the very best way to handle this challenge and promise of the Presidio, which as I said earlier, is not only a State and local treasure, but a great national treasure.

So I would urge an overwhelming vote for this bill and congratulate my colleagues from California, Ms. PELOSI, Mr. MILLER, the gentleman from Minnesota, Mr. VENTO, and all those involved in this great enterprise.

Mr. HANSEN. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I rise in support of this bill reluctantly for some reasons, but let us get some of the facts out.

We have heard about pet cemeteries and Burger Kings and so on. Those were put there by the U.S. Army, the Federal Government. They are there. As of October 1 this land will belong to the Park Service. That decision has been made several years ago. So now the question is what do we do on October 1.

There is 1,500 acres of prime land that title is in the U.S. Park Service as of October 1 with all of the warts that might be there, and we have to address the problem. I am concerned about the financing mechanism of this bill. Why? Because the Interior Appropriations Committee is going to be forced to take right off the top of its budget an amount equal to whatever the revenue bonds are that are issued pursuant to the authority in this bill. That means, as the gentleman from Utah pointed out, there will be a lot less money for the other parks. All of the things that he mentioned are true. There are road needs, there are sanitation needs, there are all kinds of needs in our parks.

I would hope that when this bill goes to the other body that we try to find a better financing mechanism, because we have to deal with this problem. I think the trust is the right way to go because it gets a public-private partnership. Otherwise the Park Service gets the whole bill, and they are not going to be that good at managing all of that real estate.

It is there. We have to do something with it. Hopefully we can get a financing mechanism that would perhaps have the revenue bonds needed to repair these buildings and make them leasable, guaranteed by the State of California and/or the city of San Francisco.

It is not that the money will be a direct expenditure, but under the terms of this bill, and I do not fault the Committee on Ways and Means for I think it is a responsible thing to do under the circumstances. We have to set aside an amount equal to the revenue bonds which will restrict our ability to adequately fund the needs of other parks. Hopefully in the long term of things the revenues from these some 800 structures will be more than enough to retire the bonds, plus interest, for that reason it makes a lot of sense. I think that it is a realistic thing that we need to do.

The 6th Army is going to take 30 percent of the Presidio by leasing it back from the Park Service. So it will be used to serve the people by the 6th Army in meeting its needs. The hospital that is there has a couple of different groups interested in leasing it as a research facility. I think in the long term the revenues from the structures will more than offset the costs of rehabbing them and making them useful to the public generally.

In the meantime, we will have a great addition to Golden Gate national recreation area that will be used by people from all over the United States.

Mr. VENTO. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I thank the gentleman from Ohio for his bipartisan support and realistic approach and the work he does in the Interior Appropriations Subcommittee. The gentleman is really a leader and a good ally on national parks and public land issues. I want to associate myself with his remarks and the desirability of dealing with the overall budget in terms of financing.

I would point out that the funding for the rehabilitation of many of these buildings will in fact generate the revenue necessary to pay back the money. The idea is this can be successful, it is in San Francisco. Furthermore, nearly 400 of the 870 buildings that are present are anticipated to be demolished and taken down, so that is part of the process here on some of the buildings they are pointing out. I do not know if it is the Burger King or not, but some of the other buildings.

With respect to the gentleman from Colorado, the veterinarian and our friend and colleague, he will of course address himself to the amendment on the pet cemetery. He has assured me that he had nothing to do with any of the dogs that are present in that cemetery.

Mr. HANSEN. Mr. Chairman, I yield 30 seconds to the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Chairman, I think again we need to seek an innovative financing system here. We have a goal I believe on both sides of preserving this for the public. But it is there, and we have to address it as is on October 1 it is ours, the National Park Service's and this body's. I believe we can achieve a program of innovative financing in the other body by working with them on this bill, and I thank the gentleman for yielding me the time.

□ 1520

Mr. VENTO. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California [Mr. FAZIO].

Mr. FAZIO. Mr. Chairman, I rise in strong support of H.R. 3433. I wish to congratulate my colleague, the gentlewoman from California [Ms. PELOSI], for the very innovative approach which has been taken in this legislation.

The Presidio Trust is new and different and also the "least-cost" approach to providing for one of the most impressive urban national parks anywhere in this land. Today we have seen the beautiful vistas. Most of us have been to the area. We know how unique it is.

This is still a rather pristine area, in some ways; 300 acres of historic forest, 10 rare plant communities, 11 miles of trails for hiking and biking.

There is nothing wrong with having a national park that is close to 7 to 10 million people. This is a unique opportunity, and it will be available to the people of this country and to the West for half the cost of what we were paying for it when it was a military reservation.

Now, what the gentlewoman from California [Ms. PELOSI] has done is put together a concept that allows for the Federal cost to decline over time. What we are providing for here is a method of earning income off the assets of the Presidio so that the taxpayers will have a lessened responsibility as we proceed through the next couple of decades. We do it in a way that, I think, deserves the support of all of us here.

There will be continued review from Treasury, from Interior. This is not an open-ended, unmonitored idea. But I think it goes a long way to meeting the needs of people in cities who have traditionally had to travel long distances to get this kind of access to nature and to opportunities for recreation in pristine places.

This is an augmentation of the already nationally known Golden Gate National Recreation Area, and it does, I think, provide for a model of future conversion of military facilities to public use.

I think the gentlewoman from San Francisco deserves to be congratulated.

Mr. Chairman, H.R. 3433 creates a nonprofit Government corporation, the Presidio Trust, to manage Presidio properties in a more cost-effective manner. The Presidio Trust will have a



long-term leasehold interest in the Presidio's assets. The Trust will manage the rehabilitation of these properties and lease buildings to rent paying tenants.

This measure is fiscally responsible in that it uses the Presidio's assets to help pay for management of the facility. Revenues from leases will be used to offset costs at the Presidio, driving operating costs down and reducing the need for Federal appropriations. These lease revenues will also be used to repay funds borrowed for the initial rehabilitation of the Presidio's historically significant assets.

The bill preserves strong Federal oversight of the Trust by requiring annual reports and independent audits of the Trust's activities. The bill also mandates that the Trust adhere to the publicly supported Park Service Plan for the Presidio. The Trust's budget and borrowing authority will be subject to Interior and Treasury Department review. The oversight features in this bill recognize fiscal realities and offer a less costly, more business-like approach to managing this important Federal asset.

Amazingly, the Presidio as a national park will cost less than half the cost of operating the Presidio as a military base. The financial plan projects declining Federal costs over time due to rent abatement and private sector support.

Mr. Speaker, the Presidio is a unique historical treasure. The Presidio embodies over 200 years of military history in one location. It has played a logistical role in every U.S. military engagement since the Mexican-American war.

I want to congratulate the bill's author, Congresswoman PELOSI, on her fine efforts. She has put together a bill that maximizes our Federal investment in the Presidio and does so in a fiscally responsible manner. I urge my colleagues to support the bill as brought to the floor by the gentlewoman from California and ask for an "aye" vote on H.R. 3433.

Mr. HANSEN. Mr. Chairman, I yield 4 minutes to the gentleman from Colorado [Mr. HEFLEY].

Mr. HEFLEY. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, as we debate whether the Federal Government should spend close to \$1 billion in the years ahead to operate an urban park for the city of San Francisco, I think we should take into consideration some remarks made by the gentleman from the other body, Senator WALLOP, a few weeks ago. Senator WALLOP announced he would offer an amendment to every park bill that came through his committee which would defer spending on the new unit unless the Interior Secretary could affirm the Government had the money and really wanted to spend this money on a given project. He also suggested some projects should be delayed until the respective budgets for maintenance and personnel were increased.

I think there is a lot to be said for that idea, and so apparently do many of Senator WALLOP's colleagues in the Senate.

Let me repeat a figure that has been bandied about in the House for at least

the last 4 years, and that figure is that the National Park Service has a \$6 billion maintenance backlog. A similar backlog exists for land acquisitions. The director of the Park Service has said Park Service employees are living in Third World conditions.

Most of the reforms suggested over the past 10 years for the Park Service have never been implemented.

With all of that, do we really need, or can we afford, the Presidio? Senator WALLOP said it best, "The Federal Government is gaining the reputation of being a bad neighbor, of being someone who buys up land left and right and cannot take care of it." Before we vote to approve this, we should give it a little more thought.

Yes, there are parts of it that are scenic, and there are parts of it that are even historic. I was out there this summer, as the gentlewoman from California [Ms. PELOSI] knows. We have talked about this. I was out there this summer. I particularly went to the Presidio and looked at it, because I knew we were going to be discussing this kind of thing. There are parts of it that are incredibly beautiful and ought to be preserved as a park. But the great majority of it is composed of what you have heard here today. It is composed of the bowling alleys and the office buildings and the housing and parking lots and those kinds of things.

I think we should consider giving the park to the city of San Francisco. It is a city park, after all. That is what it will amount to. I think we maybe should consider giving the beautiful parts and the historic parts, give it to the city of San Francisco, make a gift to them. But the part that has the commercial enterprises and the housing and so forth, let us sell that. Let us sell it to developers or whoever and let us get money back for that.

We simply cannot afford this project. And this, with me—I am often up here making amendments to cut this or cut that out of the budget. But this, to me, this is not a cost-saving effort that I am making here today.

Because I would love to take every dime we can make off of selling much of the Presidio and put it back into the Park Service to take care of the deficits we have within the Park Service. Even if we do not save a penny on the overall Park Service thing, let us put it into some of the jewels of our system. Let us put it into the Yosemite, the Yellowstone, and Grand Canyons that are going begging right now because we do not have the budget to actually keep it up.

Let me quote from that great American, that great Senator from the State of Arkansas, Senator BUMPERS, who, by the way, happens to be the Senate Park Subcommittee chairman. When he is talking about the Presidio, Senator BUMPERS says, "And in any event, the thing—obviously this is a highly

desirable thing to do, but I must confess to you, despite my very best efforts, I have not been able to reconcile myself to these costs." And I have to say, my friends, that I agree with Senator BUMPERS.

Mr. VENTO. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. FARR], a member of the committee.

Mr. FARR of California. Mr. Chairman, I rise in support of this measure. I think those that speak in opposition to it really do not understand it. Because this is really best management practices.

There are those who would say that we ought to sell this. It is Federal property. It might be used for purposes of a locale. That same concept could be used for this building. We could sell this room. It could be used for convention centers. This is a national asset.

We think of the east coast; you think of New York City, and you think of the great Federal Statue of Liberty which is a symbol to our country on the east coast. The Presidio, San Francisco, is the symbol to the Pacific rim. It began in 1776. It has been in military ownership.

Yes, there are a lot of buildings there, and they are out of code. Military does not build buildings by going before boards of supervisors and city councils and getting building permits. They build it their own way, and when it comes to using them in an area that is prone to earthquakes, you have to rehab those buildings. It takes money.

The best way to do that is to set up a management structure that will allow the loans to be repaid through the process of leasing and selling and managing those buildings. That is what this bill does. This is good management practices. It is used in all smart activities by this Government and State governments.

It would be absolutely ludicrous to defeat this bill. The best thing for the United States is to preserve this in public trust for public use under sound public-private management.

I urge an "aye" vote.

Mr. HANSEN. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. REGULA].

□ 1530

Mr. REGULA. I thank the gentleman for yielding this time to me.

Mr. Chairman, I would like to point out to the Members that there is a trust arrangement in this plan, and it is a public-private arrangement. Many people in San Francisco are interested in contributing private funds to the trust. I think we will be surprised at the broad support, at least I get that feeling from talking with some of the leadership in San Francisco, that will exist in the city, in providing private money to help address this problem. In the long term I believe the trust should

appeal to our Members because it does achieve a nonprofit private-sector arrangement. That is what we seek to accomplish.

I think, likewise, it would generate a lot of matching funds that would be helpful in converting the Presidio to a very useful purpose for the people of this Nation.

Mr. VENTO. Mr. Chairman, I yield 3 minutes to the gentleman from the Virgin Islands [Mr. DE LUGO] a member of the committee.

Mr. DE LUGO. I thank the gentleman for yielding this time to me.

Mr. Chairman, I want to commend the gentlewoman from California [Ms. PELOSI] for this legislation. I had the pleasure of serving in this House back in 1972, while Phil Burton had the great vision about the Presidio. At that time he had the vision to say, and to put into legislation, that at such time as the military would no longer need the Presidio, it should be turned over to the national park.

I know a little about the Presidio. During the occupation of Japan I used to ship out from Fort Mason nearby and I trained at the Presidio. And when I went out recently for the dedication of the statue in memory of Phil Burton, I visited the Presidio then and I visited it again on a recent trip, because to me I think thank everyone who is connected with this legislation should be commended.

Mr. Chairman, this shows the type of creativity that can hold precious resources for our people for all time. Yes, it will cost money; but they have put together a private-public plan here that makes it financially possible to retain this precious piece of property.

As I walked in the Presidio last time down by the bay, I thought, "Why, Phil, you really knew what you were doing to preserve this for the people."

Mr. Chairman, I want to commend the gentleman from Minnesota, BRUCE VENTO, chairman of the subcommittee, and I commend the gentleman from California, GEORGE MILLER, my chairman, and I want to commend those on the other side of aisle who support this legislation. This is a good bill, and I urge its support.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. DE LUGO. I yield to the gentleman from Minnesota.

Mr. VENTO. I thank the gentleman for yielding.

Mr. Chairman, I want to commend the gentleman from the Virgin Islands. I think many words have been spoken on this floor, but I think the essence of what this is about has been captured by our esteemed colleague, Congressman DE LUGO. This is like, if we had the fate of Central Park before us today, would we be talking about breaking it up and selling it? Mr. Chairman, the Presidio is in the middle of San Francisco, and obviously the history that it has, from

early Spanish settlement, and the natural, cultural, and recreational resources and so forth are a vital and significant public asset. I would hope that my colleagues would recognize that and support this legislation.

Mr. DE LUGO. One of the things that impressed me the most on my visits to the Presidio were the numbers of visitors to this area. Not only American citizens but people from all over the world were visiting this area. This is a great piece of legislation, and I urge all of the Members to support it.

Mr. Chairman, I rise in support of H.R. 3433, legislation to provide for the management of the Presidio, and to commend the gentlewoman from California [Ms. PELOSI] for her efforts and dedication to the preservation of this most spectacular area.

Mr. Chairman, the Presidio is an approximately 1,500-acre military base located at the foot of the Golden Gate Bridge in San Francisco. When the Golden Gate National Recreation Area was established, in 1972, my good friend and our former colleague, Phil Burton, recognizing the uniqueness and magnificence of the area, provided that if the Presidio was ever determined to be excess to the needs of the Army, it would be turned over to the National Park Service and would become a part of the Golden Gate National Recreation Area.

Because of concerns that operating and repairing the Presidio would drain money from the other national parks, even though millions of dollars would be transferred from the DOD budget to the Park Service, H.R. 3433 would establish a public benefit corporation to manage certain properties at the site to generate income to support park operations.

H.R. 3433, Mr. Chairman, is supported by the National Parks and Conservation Association, the Sierra Club, the National Audubon Society, the Wilderness Society, the Friends of the Earth, the National Trust for Historic Preservation, the National Conference of State Historic Preservation Officers, the AFL-CIO and several other national organizations.

This is a good bill, Mr. Chairman. The gentlewoman from California deserves our support. I urge my colleagues to support passage of this bill.

Mr. HANSEN. Mr. Chairman, I have no further speakers, and I yield back the balance of my time.

Mr. VENTO. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. DELLUMS], chairman of the Committee on Armed Services.

Mr. DELLUMS. I thank the subcommittee chairman for yielding this time to me.

Mr. Chairman and members of the committee, first of all, our former colleague, Phil Burton, has been referred to on a number of occasions during the course of this discussion and debate. He has been alluded to as a visionary. He was a very clear and substantive thinker. If anyone believes that Phil Burton did not understand exactly what he was doing, living in a never-never land, did not understand him. He understood it very clearly and unequivocally.

Mr. Chairman and members of the committee, on the 9th of August a no-

tice was sent to every Member of the U.S. Congress from the Department of the Army office of the Secretary of the Army, laying out the agreement that the Department of the Army and the Department of the Interior announced that they had agreed upon terms and conditions by which the Army will retain the headquarters, 6th U.S. Army, at the Presidio of San Francisco to perform its defense mission while maximizing public use of the Presidio as an urban national park. What the gentlewoman from California's legislation simply seeks to do, Mr. Chairman, is to establish a public interest corporation to manage the assets there.

Let me, in that regard, make a couple of important points. That corporation would have a wide range of borrowing authorities, including private borrowing, limited public borrowing, and the ability to negotiate lease terms that encourage third-party borrowing for the purposes of upgrading Presidio properties.

These financial tools, Mr. Chairman, and the authority to retain lease revenues at the park will greatly reduce the need for Federal funding. I underscore that for the purpose of emphasis.

Finally, this bill represents a new reinventing government approach to the management of public assets, combining private and public sector techniques to enhance responsiveness at lower cost to the taxpayer. Again, I underscore that, because a number of my colleagues have marched into the well speaking to the magnitude of the cost of what this transfer is all about. It is in this gentleman's humble opinion, Mr. Chairman, good government approach, it recognizes financial and fiscal realities, it is fiduciarily sound yet provides for the protection of the historic, scenic, and ecological treasure not only for the bay area in California, not only for this Nation, but indeed the world, and for the benefit of all of our people.

For all of these reasons I urge my colleagues to enshrine and enframe and to put into significant frame the vision that Phil Burton had to make sure that we transferred this land for higher and better use, and that is to serve the people of our country.

I ask my colleagues to resist the effort to diminish, to reduce, to significantly harm or, in any other way, compromise the legislation that is before us.

Mr. VENTO. Mr. Chairman, I yield 2 minutes to the gentlewoman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise today in strong support of H.R. 3433. I commend my colleague, the gentlewoman from California [Ms. PELOSI], for crafting this excellent legislation.

The district I am proud to represent, the Sixth Congressional District of



California includes part of the Golden Gate National Recreation Area, which is soon to be home to the Presidio. I have received letter after letter from my constituents urging the House to ensure that the Presidio is transferred to the National Park Service in its entirety, and to pass H.R. 3433.

The House recognized the national significance of the Presidio in 1972, when it passed Phil Burton's legislation specifying that the Presidio would be transferred from the Department of Defense to the Department of Interior. The House must continue to recognize the significance of the Presidio, in 1994, by passing Congresswoman PELOSI's bill today.

In this time of base closures, Mr. Chairman, it is important that we support and encourage smooth transitions from military use to peace-time purposes. H.R. 3433 is a model for a smooth transition of the Presidio lands from military to peace-time purposes.

In addition, H.R. 3433 will ensure that the Presidio is managed in a cost-effective manner. This bill establishes a nonprofit government corporation, known as the Presidio Trust, which will reduce Federal operating costs by aggressively recruiting tenants that will pay fair market rent for Presidio space. This innovative approach will result in a valuable national park, to be enjoyed by future generations at a significantly reduced cost to the Federal Government.

Mr. Chairman, I urge my colleagues to preserve this national treasure and save American taxpayer dollars by passing H.R. 3433.

□ 1540

Mr. VENTO. Mr. Chairman, I yield the remainder of our time to the gentlewoman from California [Ms. ESHOO].

Ms. ESHOO. Mr. Chairman, I rise in strong support of H.R. 3433, which provides for the smart and sound management of the Presidio.

As the Nation's oldest continually operated military post, the Presidio is a national historic landmark—it has played a logistical role in every U.S. military engagement since the Mexican-American War.

This unique landmark which is at the heart of the Golden Gate National Recreation Area is the most visited national park in our Nation. It is characterized by acres of historic forest, historically significant buildings, a national cemetery, and scenic views.

The Presidio will be transferred by statute from the Army to the National Park Service on October 1. This bill is designed to reduce the cost of managing the Presidio under the Park Service by creating a nonprofit Government corporation known as the Presidio Trust.

The Trust would manage the rehabilitation of the Presidio's properties and would lease buildings to rent-pay-

ing tenants. Revenues from leases would be used to offset costs at the Presidio driving operating costs down and reducing the need for Federal appropriations. Lease revenues would also be used to repay funds borrowed for the initial rehabilitation.

The Trust brings to the Presidio a proven successful model of public-private partnership. It offers a less costly, business like approach to managing Federal properties.

Indeed, heads of the academic and business communities which comprise the Presidio council have stated that the Presidio Trust is "essential to the success of this \*\*\* conversion project."

Mr. Chairman, the Presidio as a national park will cost less than half of what was spent on it as a military base. It's financial plan projects declining Federal costs over time due to rent abatement and private sector support.

I urge my colleagues to support this smart and sensible approach to management and support this critical legislation.

Mr. PICKLE. Mr. Chairman, I rise to compliment Chairman GIBBONS for his leadership in the Committee on Ways and Means consideration of H.R. 3433, relating to the management of the Presidio. I also appreciate to concerns of Mr. ARCHER, for his efforts to ensure that the funding of the improvements to the Presidio, which are authorized by this legislation, are provided for in a manner that does not subject this important legislation to a budget point of order.

As the result of the amendments supported by Chairman GIBBONS and Mr. ARCHER, the bill before us today will allow for the orderly transfer of the Presidio from the Department of Defense to the Department of the Interior. It will also promote a unique public-private partnership which will allow for certain portions of the Presidio to be commercially developed in a manner consistent with its very special historical and environmental characteristics.

While I support this effort to manage the Presidio in a way that takes full advantage of its public and private sector assets, I have been concerned with the financing approach that was originally proposed. In my judgment, Congress must be very careful that efforts to promote creative solutions to unique problems do not undermine established appropriations, budget, and debt management procedures. If such exceptions to the normal spending and borrowing procedures are allowed, we risk doing great damage to the system of budget discipline that we have established in recent years.

As the result of the modifications to H.R. 3433 which were adopted during its consideration by the Committee on Ways and Means, this important legislation is now in compliance with all of our debt management rules and policies. It is my hope that this legislation will receive favorable consideration, and that the Presidio will become a vital part of our great National Park System. We also must be vigilant that the other body does not try to circumvent the decisions of the Ways and Means Committee.

Mr. FALEOMAVAEGA. Mr. Chairman, I rise in strong support of H.R. 3433, a bill to create a nonprofit Government corporation to manage specified portions of the Presidio under the jurisdiction of the Secretary of the Interior.

Most Americans do not know what the Presidio is and I have been asked on a number of occasions to explain not only what it is, but why I feel it is important to protect this national treasure.

First established in 1776 as a military post, the Presidio's history reads like a page out of American history. As a military installation, the Presidio has played a critical role in providing for our national defense and international security and it is no accident that its history coincides with our country's emergence as a world leader.

Now that the military has determined it no longer needs to maintain the Presidio as a military facility, the responsibility now falls to us to establish a public trust to manage the facilities of the Presidio of San Francisco in a manner befitting its proud history.

Mr. Chairman, H.R. 3433, sponsored by the gentlewoman from California, NANCY PELOSI, will do precisely that.

In addition to its other important provisions, H.R. 3433 will establish the Presidio Trust to manage the leasing, maintenance, rehabilitation, repair, and improvement of the property that is transferred to the National Park Service.

Opponents of the Presidio have fought to sell all but 200 of its 1,400 acres to private developers. This would not only rob our future generations of this magnificent resource—but the sight of condominiums on this site would degrade the memory of those who have proudly served our country at this national treasure.

Mr. Chairman, I would like to commend the gentlewoman from California, NANCY PELOSI, for sponsoring this important legislation, and also pay tribute to the late Philip Burton, who long ago recognized the importance of preserving this vital piece of American history.

I urge my colleagues to support H.R. 3433.

Mr. LAUGHLIN. Mr. Chairman, I urge my colleagues to vote for H.R. 3433 when it comes to the House this week. The bill provides a more cost-effective management structure for the Presidio in San Francisco, one of the most significant historic sites in our Nation.

The Presidio has guarded against invasion from the Pacific since 1776. It has played a major role in every American engagement since the Mexican-American War. Now, by an earlier act of Congress, the Presidio, a national historic landmark, is slated to become part of the Golden Gate National Recreation Area.

In addition to its historic importance, the Presidio's national, scenic and recreational resources qualify it as a national park. It is an international biosphere reserve, a home for threatened species and a neighbor to the largest chain of marine sanctuaries in the country.

There should be no question about the Presidio's significance to the United States—by now, its value is established fact.

H.R. 3433 would enable us to protect the Presidio while saving money for the American taxpayer. The bill establishes a Presidio Trust

with streamlined management and operations to manage leasing and rehabilitation at the Presidio. This management structure would result in significant savings for the Presidio over traditional park management.

H.R. 3433 is responsible legislation which addresses taxpayers' concerns while protecting a very important national resource for the enjoyment of future generations. I strongly urge the Members to vote for H.R. 3433 and to oppose any amendments to weaken the bill.

Mr. FAWELL. Mr. Chairman, I rise in opposition to H.R. 3433, which includes a wage requirement provision, adopted as an amendment to the bill in the Committee on Natural Resources. Section 3(v) provides that the labor standards provisions under the Davis-Bacon Act and the Service Contract shall apply to the activities of the Presidio Trust. This new provision represents an unwarranted expansion of the requirements under both acts to contracts for services which are paid for primarily, or entirely, through private funds.

Under the Davis-Bacon Act, contractors on construction or renovation projects funded by the Federal Government must pay Government mandated, inflated wages to laborers and mechanics employed on these projects. The procedures used by the Department of Labor for determining the wages in the area of a construction project, as well as the classifications of workers who receive them, favor union wage rates. The General Accounting Office has estimated that Davis-Bacon requirements increase the cost of construction projects by 5 to 15 percent. Likewise, Davis-Bacon reduces the opportunities for the employment of less-skilled workers, women, and minorities.

H.R. 3433 would expand the impact of the wage requirements to projects which would be funded wholly or partially through private sources. If only \$1 of Federal funds is contributed to the project, Congress is going to mandate that Davis-Bacon requirements must apply. Under the bill, the Presidio Trust would have the flexibility to negotiate a lease agreement which would allow the tenant to finance the repair or rehabilitation of part or all of the building it is occupying. Clearly, in this type of situation, we are not talking about a Federal project where Federal mandates should apply. We are talking about private construction funded entirely by private sources.

The Service Contract Act, on the other hand, sets basic labor standards for employees on Government contracts whose principal purpose is to furnish labor, such as laundry, custodial, and guard services. Contractors covered by this act generally must provide their employees with wages and fringe benefits that are at least equal to those prevailing in their locality, or, those contained in a collective bargaining agreement of the previous contractor.

In 1983, having reviewed the application of the Service Contract in 1978 and 1982, the GAO recommended repeal of the act. The report stated that the Department of Labor's principles and methods for making wage determinations under the Service Contract Act resulted in inaccurate, inflationary, and unrealistic determinations. Once a prevailing rate is established in a wage determination as the minimum that can be paid, it then becomes

the floor for adjusting the wage differentials for higher skilled and more experienced workers in the same job class and for later revising that rate in future determinations. This can quickly escalate wages paid to service workers on Federal contracts and further widen the gap between the federally mandated rates on Service Contract Act contracts and those rates paid to private sector workers in the same jobs.

Both the Service Contract Act and the Davis-Bacon Act, in the years since their adoption, have been used to bring under Federal wage-setting requirements, workers who do not need, and industries which do not require Federal regulation. In all applications, the wage requirements increase the cost of contracted services over what similar work would cost on the open market. Additionally, where the financial contribution by the Federal Government is minimal or nonexistent, Congress has no business mandating Federal wage requirements for work that is being funded by the private sector, the States, or other localities.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule for a period of debate not to exceed 3 hours.

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Natural Resources printed in the bill, modified by the amendments recommended by the Committee on Ways and Means printed in the bill, and by the amendments printed in House Report 103-696 is considered as an original bill for the purpose of amendment and is considered as read.

The text of the committee amendment in the nature of a substitute, as modified, is as follows:

#### H.R. 3433

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. FINDINGS.

*The Congress finds that—*

(1) the Presidio of San Francisco, located amidst the incomparable scenic splendor of the Golden Gate, is one of America's great natural and historic sites;

(2) the Presidio is the oldest continually operating military post in the Nation dating from 1776, and was designated as a National Historic Landmark in 1962;

(3) preservation of the cultural and historic integrity of the Presidio for public use would give due recognition to its significant role in the history of the United States;

(4) the Presidio in its entirety will transfer to the jurisdiction of the National Park Service on September 30, 1994, in accordance with Public Law 92-589;

(5) as part of the Golden Gate National Recreation Area, the Presidio's outstanding natural, historic, scenic, cultural and recreational resources must be managed in a manner which is consistent with sound principles of land use planning and management, and which protect the Presidio from development and uses which would destroy the scenic beauty and natural character of the area;

(6) activities and management at the Presidio must be consistent with both the Act establish-

ing the Golden Gate National Recreation Area (Public Law 92-589) and the General Management Plan for the Golden Gate National Recreation Area, as amended;

(7) the Presidio will be a global center dedicated to addressing the world's most critical environmental, social, and cultural challenges and a working laboratory at which models of environmental sustainability shall be developed;

(8) the Presidio, as an urban park, will be managed in a manner that is responsive to the concerns of the public and cognizant of its impact on the local community, and as a public resource, will reflect, in both activities and management, of the diversity that exists in the surrounding community; and

(9) the Presidio will be managed in an innovative public/private partnership that minimizes cost to the United States Treasury and makes efficient use of private sector resources that could be utilized in the public interest.

#### SEC. 2. AMENDMENT OF ACT ESTABLISHING GOLDEN GATE NATIONAL RECREATION AREA.

(a) STATEMENT OF PURPOSES.—Section 1 of the Act entitled "An Act to establish the Golden Gate National Recreation Area in the State of California, and for other purposes", approved October 27, 1972 (Public Law 92-589; 86 Stat. 1299; 16 U.S.C. 460bb), is amended by inserting the following after the second sentence: "In addition, the Secretary may utilize the resources of the Presidio of San Francisco to provide for and support programs and activities that foster research, education or demonstration projects, and relate to the environment, energy, transportation, international affairs, arts and cultural understanding, health and science."

(b) ADMINISTRATION.—Section 4 of such Act is amended by adding the following new subsection at the end thereof:

"(g) INTERIM AUTHORITY.—(1) In addition to other available authorities, the Secretary may, in his discretion, negotiate and enter into leases, as appropriate, with any person, firm, association, organization, corporation or governmental entity for the use of any property within the Presidio in accordance with the General Management Plan and any of the purposes set forth in section 1 of this Act. The Secretary may further, in his discretion, negotiate and enter into leases or other appropriate agreements with any Federal agency to house employees of the agency engaged in activities or programs at the Presidio.

"(2) In addition to other available authorities, the Secretary may, in his discretion, enter into—  
"(A) interagency permitting agreements or other appropriate agreements with the Secretary of Defense and the Director of the Federal Emergency Management Agency, and

"(B) leases with the American Red Cross, to house their activities and employees at the Presidio.

"(3) Any leases or other appropriate agreements entered into under this subsection shall be subject to such procedures, terms, conditions and restrictions as the Secretary deems necessary. The Secretary is authorized to negotiate and enter into leases or other agreements, at fair market value and without regard to section 321 of chapter 314 of the Act of June 30, 1932 (40 U.S.C. 303b), fair market value shall take into account the uses permitted by the General Management Plan and this Act. The preceding sentence shall not apply to any interagency permitting agreement entered into between the Secretary and the Secretary of Defense regarding the housing of activities and employees of the Sixth United States Army. For purposes of any such lease or other agreements, the Secretary may adjust the rental by taking into account any amounts to be expended by the lessee for preservation, maintenance, restoration, improvement, repair and related expenses with respect to the leased properties.



"(4) The proceeds from leases under this subsection, and from concession and other use authorizations and from other services that may be provided by the recreation area under this subsection shall be retained by the Secretary for 5 years after the date of enactment of this paragraph or until the leased property is transferred to the Presidio Trust and shall be available without further appropriation and used to offset the costs of preservation, restoration, maintenance, improvement, repair and related expenses including administration of the above, incurred by the Secretary with respect to Presidio properties, with the balance used to offset other costs incurred by the Secretary in the administration of the Presidio.

"(5) Each lessee of a lease entered into under this subsection shall keep such records as the Secretary may prescribe to enable the Secretary to determine that all terms of the lease have been and are being faithfully performed. The Secretary and the Comptroller General and their duly authorized representatives shall, for the purpose of audit and examination, have access to financial records pertinent to the lease and all the terms and conditions thereof.

"(6) The Secretary shall annually prepare and submit to Congress a report on property leased under this subsection.

"(7) In addition to other available authorities, the Secretary may, in his discretion, enter into cooperative agreements and permits for any of the purposes of the recreation area set out in section 1 of this Act."

### SEC. 3. THE PRESIDIO TRUST.

(a) **ESTABLISHMENT.**—There is established within the Department of the Interior a non-profit public benefit government corporation to be known as the Presidio Trust (hereinafter in this Act referred to as the "Trust"). The Trust shall manage, in accordance with the purposes set forth in section 1 of the Act entitled "An Act to establish the Golden Gate National Recreation Area in the State of California, and for other purposes", approved October 27, 1972 (Public Law 92-589; 86 Stat. 1299; 16 U.S.C. 460bb), and with this Act, the leasing, maintenance, rehabilitation, repair and improvement of property within the Presidio which is transferred to the Trust by the Secretary of the Interior (hereinafter in this Act referred to as the "Secretary"). The Trust may participate in the development of programs and activities at the properties that have been transferred to the Trust.

(b) **TRANSFER.**—Except as provided in this subsection, the Secretary shall transfer to the Trust, under such terms and conditions as the Secretary deems appropriate, a leasehold in the following properties within the Presidio under the control of the Secretary: the Letterman-LAIR complex, Fort Scott, Main Post, Cavalry Stables, Presidio Hill, Wherry Housing, East Housing, the structures at Crissy Field, and such other properties, within the Presidio as the Secretary and the Trust deems appropriate. Any such property shall be transferred within 60 days after a request is made by the Trust. The leasehold shall be of sufficient term to enable the Trust to obtain necessary and beneficial financing arrangements and to carry out the purposes of this Act. The Secretary may withhold transfer to the Trust of any buildings necessary to house or support activities of the National Park Service. The Secretary may not transfer to the Trust any property irrevocably permitted to the Department of Army. The Secretary shall transfer, with any transferred property, all leases, concessions, licenses and other agreements affecting such transferred property. The Secretary may transfer any properties within the Presidio to the Trust not requested by the Trust subject to terms and conditions mutually agreed to by the Secretary and the Trust. All

proceeds received by the Presidio Trust from the leasing of properties managed by the Trust within the Presidio shall be retained by the Trust without further appropriation and used to offset the costs of administration, preservation, restoration, operation, maintenance, repair, and related expenses incurred by the Trust with respect to such properties.

(c) **BOARD OF DIRECTORS.**—(1) The powers and management of the Trust shall be vested in a Board of Directors consisting of 13 members, as follows:

(A) The Director of the National Park Service.

(B) Secretary of the Army.

(C) Administrator of the Environmental Protection Agency.

(D) Ten individuals, who are not employees of the Federal Government, appointed by the Secretary within 6 months after the date of the enactment of this Act, 6 of whom shall have knowledge and experience in one or more of the fields of the environment, energy, transportation, international affairs, health, science, education, or any other such field related to the activities at the Presidio; 4 of whom shall have knowledge and experience in one or more of the fields of city planning, finance, real estate, labor or historic preservation. With respect to the 10 individuals, 5 shall meet the additional requirement of possessing extensive knowledge of the region in which the Presidio is located.

Each member of the Board of Directors specified in subparagraphs (A) through (C) paragraph (1) may designate (through written notice to the Secretary and Chairman of the Board) an alternative senior official (classified as Senior Executive Service) of his or her department or agency who may serve on the Board in his or her stead. The Secretary of the Army shall serve on the Board until such time as the Sixth Army Headquarters ceases to maintain a presence at the Presidio. In such an event, the Secretary of Energy shall replace the Secretary of the Army on the Board.

(d) **TERMS OF BOARD MEMBERS.**—Each member of the Board of Directors appointed under subparagraph (D) of subsection (c)(1) shall serve for a term of 5 years from the expiration of his or her predecessor's term; except that the Secretary, in making the initial appointments to the Board under subparagraph (D), shall appoint 3 Directors to a term of 2 years and 3 Directors to a term of 3 years. Any vacancy on the Board of Directors shall be filled in the same manner in which the original appointment was made, and any member appointed to fill a vacancy shall serve for the remainder of the term for which his or her predecessor was appointed. Each member shall continue to serve after the expiration of his or her term until his or her successor is appointed. No appointed director may serve more than 10 years in consecutive terms.

(e) **ORGANIZATION AND COMPENSATION.**—(1) The Board of Directors shall elect at the initial meeting a Chairman and a Vice Chairman from among the members of the Board of Directors. The Director of the National Park Service shall serve as Chairman until such time as the Board holds such election.

(2) The Board of Directors may establish an Executive Committee within the Board and other such committees within the Board as it deems appropriate, and delegate such powers to such committees as the Board determines appropriate to carry out its functions and duties. Any such committees established by the Board may meet and take action on behalf of the Board between meetings to the extent the Board delegates such authority. Delegations to such committees shall not relieve the Board of full responsibility for the carrying out of its functions and duties, and shall be revocable by the Board in its exclusive judgment.

(3) Members of the Board of Directors shall serve without pay, but may be reimbursed for

the actual and necessary traveling and subsistence expenses incurred by them in the performance of the duties of the Trust.

(4) The Board of Directors shall meet at the call of the Chairman, who shall require it to meet not less often than once every 6 months. A majority of the members of the Board of Directors (or their designated alternates) shall constitute a quorum. The Board shall hold at least one public meeting per year at the Presidio at which time the Board shall report on its operations, accomplishments and goals for the upcoming year.

(5) Members of the Board of Directors shall not be considered Federal employees by virtue of their membership on the Board, except for purposes of the Federal Tort Claims Act and other statutes defining legal liability.

(f) **STAFF.**—The Board of Directors shall have the power to appoint and fix the compensation and duties of an Executive Director and such other officers and employees of the Trust as may be necessary for the efficient administration of the Trust. Officers and employees of the Trust may be appointed and compensated without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51, and subchapter III of chapter 53, title 5, United States Code (relating to classification and General Schedule pay rates), except that no such officer or employee may receive a salary which exceeds the salary payable to officers or employees of the United States classified a level IV of the Executive Schedule.

(g) **EXPERTS AND CONSULTANTS.**—The Board of Directors is authorized to procure the services of experts or consultants, or organizations, including but not limited to urban planners, architects, engineers, and appraisers.

(h) **AUTHORITIES.**—In exercising its powers and duties, the Trust shall act in accordance with both the approved General Management Plan, as amended (hereinafter in this Act referred to as the "Plan") and the Act entitled "An Act to establish the Golden Gate National Recreation Area in the State of California, and for other purposes", approved October 27, 1972 (Public Law 92-589; 86 Stat. 1299; 16 U.S.C. 460bb), and have the following authorities:

(1) The Trust shall manage, maintain, improve and repair those properties within the Presidio which are transferred to the Trust by the Secretary.

(2) The Trust shall publish and disseminate information and make known to potential occupants, by advertisement, solicitation, or other means, the availability of the property within the Presidio which the Trust manages.

(3) The Trust may prepare or cause to be prepared plans, specifications, designs, and estimates of costs for the rehabilitation, improvement, alteration, or repair of any property managed by the Trust, and from time to time may modify such plans, specifications, designs, or estimates.

(4) The Trust may negotiate and enter into contracts, including leases, cooperative agreements, or other agreements with any person, firm, association, organization, corporation, or governmental entity for the occupancy of any property within the Presidio which the Trust manages. Such leases may be entered into without regard to section 321 of chapter 314 of the Act of June 30, 1932 (40 U.S.C. 303b).

(5) The Trust shall establish procedures to be used for the issuance of leases and contracts under this Act.

(6) The Trust shall establish (through easements, covenants, regulations, agreements, or otherwise) such restrictions, standards, and requirements as are necessary to assure the maintenance, protection, and aesthetic character of the property managed by the Trust.

(7) The Trust may make commercially reasonable loans to the occupants of property managed by the Trust for the preservation, restoration, maintenance, or repair of such property.

(8) The Trust may provide technical assistance to the occupants of property managed by the Trust, to assist such occupants in making repairs or improvements to the property or applying for loans under paragraph (7) of this section.

(9) The Trust and the Secretary may solicit and the Trust may accept donations of funds, property, supplies, or services from individuals, foundations, corporations, and other private entities, and from public entities, for the purpose of carrying out its duties.

(10) The Trust may retain any revenues from leases or other agreements concerning property managed by the Trust, including preexisting leases or agreements and any donations, and use the proceeds without further appropriation to offset any costs for any function of the Trust authorized by this Act, except for those moneys transferred to the Secretary as stipulated in paragraph (11).

(11) The Secretary and the Trust shall agree on an amount of revenues received by the Trust to be transferred to the Secretary, to be applied by the Secretary, without further appropriation or offset to appropriation, for common operating and maintenance expenses at the Presidio.

(12)(A) The Trust may not (directly or indirectly) borrow funds from any source other than the Secretary of the Treasury as provided in this paragraph.

(B) Except as provided in subparagraph (F), if at any time the funds available to the Trust are insufficient to enable the Trust to discharge its responsibilities under this Act, the Trust may issue obligations to the Secretary of the Treasury, but only if the Secretary of the Treasury agrees to purchase such obligations after determining that the projects to be funded from the proceeds thereof are credit worthy.

(C) The aggregate amount of obligations issued under this paragraph which are outstanding at any one time may not exceed \$150,000,000.

(D) Obligations issued under this paragraph—  
(i) shall be in such forms and denominations, bearing such maturities, and subject to such terms and conditions, as may be prescribed by the Secretary of the Treasury, and

(ii) shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturities.

(E) No funds appropriated to the Trust may be used for repayment of principal or interest on, or redemption of, obligations issued under this paragraph.

(F) The Secretary of the Treasury may purchase obligations issued under this paragraph only to the extent provided in advance in appropriation Acts.

(13) Upon the request of the Trust, the Secretary of the Treasury shall invest excess moneys of the Trust in public debt securities with maturities suitable to the needs of the Trust, as determined by the Trust, and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity.

(14) The Trust may enter into and perform such contracts and other transactions with any person, firm, association, organization, corporation or governmental entity as may be necessary or appropriate to the conduct of activities authorized under this Act.

(15) The Trust may execute all instruments necessary or appropriate in the exercise of any of its functions under this Act, and may delegate to the Executive Director such of its powers

and responsibilities as it deems appropriate and useful for the administration of the Trust.

(16) The Trust may obtain by purchase, rental, donation, or otherwise, such goods and services as may be needed to carry out its duties. In the event of the termination of the Trust, all property and unexpended funds shall be transferred to the Department of the Interior, except that such funds shall only be expended for the purposes of this Act.

(17) The Trust shall procure insurance against any loss in connection with the properties managed by it as is reasonable and customary; and shall procure such additional insurance for losses arising out of any of its authorized activities as is reasonable and customary.

(18) The Trust may sue and be sued in its name. All litigation arising out of the activities of the Trust shall be conducted by the Attorney General; the Trust may retain private attorneys to provide advice and counsel on transactional issues.

(19) The Trust may adopt, amend, and repeal bylaws, rules, and regulations governing the manner in which its business may be conducted and the powers vested in it may be exercised.

(20) The Trust shall have perpetual succession.

(21) The Trust shall have an official seal selected by the Board which shall be judicially noticed.

(22) The Trust shall have all necessary and proper powers for the exercise of the authorities invested in it.

(23) For purposes of complying with section 106 of the National Historic Preservation Act, the Trust may work directly with the National Park Service, the State Historic Preservation Office, and the Advisory Council on Historic Preservation and enter into programmatic agreements, where appropriate.

(i) **USE OF FEDERAL PERSONNEL, FACILITIES, AND SERVICES.**—The Secretary and the heads of other Federal departments and agencies may provide personnel, facilities, and other administrative services to the Trust to assist it in carrying out its duties under this Act. Furthermore, the Secretary and the heads of other Federal departments and agencies may loan or donate to the Trust excess or surplus personal property deemed necessary for the management of the Presidio.

(j) **TAXES.**—Since the exercise of the powers granted by this section will be in all respects for the benefit of the people, the Trust is hereby declared to be devoted to an essential public and governmental function and purpose and shall be exempt from all taxes and special assessments of every kind of the State of California, and its political subdivisions, including the City and County of San Francisco.

(k) **VOLUNTEERS.**—The Secretary may accept, without regard to the Civil Service classification laws, rules, or regulations, the services of the Trust, the Board, and the officers, and employees and consultants of the Board, without compensation from the Department of the Interior, as volunteers in the performance of the functions authorized herein, in the manner provided for under the Volunteers in the Parks Act of 1969 (16 U.S.C. 18g et seq.).

(l) **SAVINGS CLAUSE.**—Nothing in this section shall preclude the Secretary from exercising any of his or her lawful powers within the Presidio.

(m) **AFFIRMATIVE ACTION.**—The Trust shall ensure that affirmative steps are taken, consistent with other Federal law, to afford equal access and equal opportunities for leases, concessions, contracts, subcontracts, and other contracting and employment opportunities to minorities, women, and other socially and economically disadvantaged individuals, commensurate with local availability.

(n) **FINANCIAL RECORDS.**—The financial records of the Trust shall be available for in-

spection by the Secretary, the Inspector General of the Department of the Interior, and the Comptroller General at any time and shall be audited by a reputable firm of certified public accountants not less frequently than once each year. Such audit shall be made available to the Secretary and the Congress. The Trust shall be subject to the provisions of the Government Corporation Control Act (31 U.S.C. 9109 et seq.), including the budget and credit provisions, except that the Trust shall submit its budget through and in consultation with the Secretary.

(o) **LEASING.**—In managing and leasing the properties transferred to it, the Trust should consider the extent to which prospective tenants maximize the contribution to the implementation of the General Management Plan and to the generation of revenues to offset costs of the Presidio. If the Trust has difficulty securing a tenant for a property under its control, it may enter into negotiation with a prospective tenant whose proposed use may be inconsistent with the approved General Management Plan. The Trust may not enter into a lease which is inconsistent with the approved General Management Plan unless the Secretary makes a finding that the proposed lease will not have a detrimental effect on the natural, historical, scenic and recreational values for which the Golden Gate National Recreation Area was established. For major leasing actions, the Trust shall submit the proposed lease to the Secretary of the Interior or his designee for a period of 10 working days for his review of the lease for consistency with the General Management Plan. Before executing the lease, the Trust shall consider issues of consistency raised by the Secretary or his designee.

(p) **APPLICATION OF OTHER LAWS.**—(1) All general penal statutes relating to the larceny, embezzlement, or conversion of public moneys or property of the United States shall apply to the moneys and property of the Trust.

(2) With respect to the public or Federal contracts for the acquisition of goods and services, the Trust shall be exempt from the following laws and attendant regulations:

(A) The Federal Property and Administrative Services Act (40 U.S.C. 471 et seq. and 41 U.S.C. 251-260).

(B) The Office of Federal Procurement Policy (41 U.S.C. 401 through 424).

(C) Section 111 of the Act of June 30, 1949 (40 U.S.C. 759).

(D) The Contract Disputes Act of 1978 (41 U.S.C. 601-612).

(q) **GOLDEN GATE NATIONAL RECREATION AREA ADVISORY COMMISSION.**—The Trust shall maintain liaison with the Golden Gate National Recreation Area Advisory Commission in matters relating to the General Management Plan, and shall meet with the Commission at least annually.

(r) **REVERSION.**—In the event of failure or default, all interests and assets of the Trust shall revert to the United States to be administered by the Secretary.

(s) **REPORT.**—The Trust shall transmit to the Secretary and the Congress, annually each January, a comprehensive and detailed report of its operations, activities, and accomplishments for the prior fiscal year. The report also shall include a section that describes, in general terms, the Trust's goals for the current fiscal year. The portion of the report containing the audited financial statement may be submitted at a later date, but no later than the first day of March of such year.

(t) **AUTHORIZATION OF APPROPRIATIONS FOR PRESIDIO.**—For purposes of the Presidio, including the Presidio Trust, there is authorized to be appropriated to the Secretary such sums as may be necessary, but the aggregate of funds appropriated for purposes of the Presidio (excluding the Presidio Trust) under this subsection and



under the Act entitled "An Act to establish the Golden Gate National Recreation Area in the State of California, and for other purposes", approved October 27, 1972 (Public Law 92-589; 86 Stat. 1299; 16 U.S.C. 460bb) may not exceed \$25,000,000 in any one fiscal year. Funds appropriated under this Act (other than funds appropriated for operations) remain available until expended.

(u) **SEPARABILITY OF PROVISIONS.**—If any provisions of this Act or the application thereof to any body, agency, situation, or circumstance is held invalid, the remainder of the Act and the application of such provision to other bodies, agencies, situations, or circumstances shall not be affected thereby.

(v) The provisions of the Act of March 3, 1931 (40 U.S.C. 276a et seq.; commonly known as the Davis-Bacon Act), and the provisions of the Service Contract Act of 1965 (41 U.S.C. 351 et seq.), shall apply to the Corporation. All laborers and mechanics employed on the construction, rehabilitation, reconstruction, alteration, or repair of projects funded in whole or in part by the Corporation and projects financed in whole or in part by loans, grants, loan guarantees, or any other assistance by the Corporation shall be paid wages at rates not less than those prevailing on projects of a similar character in the locality as determined by the Secretary of Labor in accordance with the Act of March 3, 1931 (40 U.S.C. 276a et seq.; commonly known as the Davis-Bacon Act). The Secretary of Labor shall have, with respect to the labor standards specified in this section, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267) and section 2 of the Act of June 13, 1934 (40 U.S.C. 276c).

The CHAIRMAN. No amendment directly or indirectly changing section 3(h)(9), section 3(h)(12), section 3(h)(13) or section 3(j) of the substitute, as modified, is in order.

Are there any amendments to the bill?

AMENDMENT OFFERED BY MR. VENTO

Mr. VENTO. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. VENTO: Page 5, line 24, strike "The" and all that follows through page 6, line 2.

Page 26, Subsection 3(v), strike the word "Corporation" wherever it appears in the subsection and insert in lieu thereof the word "Trust".

Mr. VENTO (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The Chairman, is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Chairman, I shared this amendment with the minority, and those interested in the bill. This amendment strikes authority of the Secretary to negotiate Federal agency housing for various employees of an agency engaged in activities or programs of the presidio. The amendment retains the two specific references which provides authority for housing for the Department of Defense, and for the Federal Energy Management Agency, and for the Red Cross, so there are other provisions in the bill that adequately meet the needs of housing. The

concern here is that without this amendment it could end up resulting in a significant amount of housing resources used for other Federal employees. As justifiable as some may think that is, I have very significant concerns about that and so seek to eliminate that particular authority, and furthermore the amendment deals with a technical change when we change the management entity, the Public Benefit Corporation, to a trust. We left the word "corporation," so this changes that particular phrase and is clearly technical in nature.

Mr. HANSEN. Mr. Chairman, will the gentleman yield?

Mr. VENTO. I yield to the gentleman from Utah.

Mr. HANSEN. Mr. Chairman, I appreciate the gentleman from Minnesota [Mr. VENTO] yielding to me.

Mr. Chairman, we have looked at the amendment, we have no problem with it, and we accept it on this side.

Mr. VENTO. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. VENTO].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ALLARD

Mr. ALLARD. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. ALLARD: Page 26, strike line 3 through 14 and insert the following:

"(t) AUTHORIZATION OF APPROPRIATIONS FOR PRESIDIO.—(1) For development of the recreation area within the Presidio as is necessary to meet the essential administrative and resource protection needs of Golden Gate National Recreation Area, there is authorized to be appropriated an amount not to exceed the development ceiling authorized in section 6 of the Act entitled "An Act to establish the Golden Gate National Recreation Area in the State of California, and for other purposes", approved October 27, 1972 (Public Law 92-589; 86 Stat. 1299; 16 U.S.C. 460bb).

"(2) For management of lands and facilities within the Presidio, there is authorized to be appropriated \$25,000,000 for fiscal year 1995. For each fiscal year thereafter, funds authorized to be appropriated to the Secretary for management of visitor use programs and development of visitor use facilities at the Presidio shall be expanded in the ratio of \$1 of Federal funds for each \$1 of funds contributed by State, city, and other non-Federal sources.

"(3) Except as provided in section 3(h)(12) of this Act, no funds may be appropriated for operation or development of facilities within the Presidio which are not directly related to the administration of Golden Gate National Recreation Area or general public use programs."

Mr. ALLARD (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. VENTO. Mr. Chairman, I reserve all points of order against the amendment.

Mr. ALLARD. Mr. Chairman, my amendment that is before us has several goals that I would like to go over with the Members of the House.

This amendment will reduce the cost of implementing the Presidio plan for both the taxpayer and the National Park Service budget. It will cut the National Park Service cost by \$200 million to \$300 million over the 15-year life of the plan. This amendment asks for a 50-50 split between the Federal Government and the local and State government for visitor use programs, operations and the development of a visitor use facility at the Presidio. It ensures State and local participation in the funding of the visitors services. It precludes the Federal Government from subsidizing the Presidio Global Center for Social, Cultural, Environmental Awareness.

Mr. Chairman, the impact of H.R. 3433 on the Park Service will be staggering. The annual cost of the Presidio is greater than the combined total annual cost of all 30 new parks established by Congress since 1980. The funding allocated to the Presidio in fiscal year 1995, \$25 million, is greater than the total increase in the operational funding provided to all other 367 areas managed by the National Park Service. The Park Service already faces an enormous backlog of 37 years for construction, 25 years for land acquisition, and \$400 million for park operations.

Now cost sharing is common at other national parks, and I would like to share a few examples:

The State parks within the Federal parks like Indiana Dunes and the Assateague in Maryland, the State pays 100 percent of all costs.

The Golden Gate National Recreation Area, which passed last year, the land acquisition of the Flagler property in this area is a 50-50 split between the Federal and non-Federal source.

The Jefferson Arch, passed last Congress, lands were added to the park on the other side of the river in Illinois. The State of Illinois pays a portion of land acquisition, at least 25 percent of the development costs.

The Everglades in Florida, passed in the 101st Congress, in the State of Florida is to contribute 50 percent of the costs for that land acquisition.

Congress required the State to fully fund acquisition of such parks such as Shenandoah, the Great Smoky Mountains, and Mammoth Caves, and in this case the States paid 100 percent of the costs.

If we look at some of the broad legislation, such as the land and water conservation fund, they require a Federal-State match, and it is a cost sharing program using a 50-50 match.

I would like to look a little bit at who is using the park.

□ 1550

The Presidio gets an estimated number of 3.4 million visitors a year. As detailed in the NPS environmental impact statement on the Presidio, visitor use of the Presidio is almost exclusively local. According to the National Park Service environmental impact statement, the tourists that are nonlocal usually come visit the northern and western segments of the Presidio along the 49 mile scenic drive, which includes Fort Point National Historic Site that already has a \$300,000 annual budget. The EIS states, "Many people stop for a short time, and their focus is the Golden Gate Bridge and the bay, not the Presidio." Despite the enormous costs of the Presidio, it ranks only 17th in visitation of national park areas.

So who are the beneficiaries? Well, according to the National Park Service environmental impact statement, conversion of the Presidio to a national park area would have a positive cumulative effect on the local and regional economy. There will be positive effects on employment opportunities, income, and local businesses and tax revenues.

Let us look at jobs and payroll. By the year 2010, more than 5,400 jobs would be created and the annual payroll would increase by \$57 million. Total employment, construction, and other employment in the city would increase by 9,100 jobs, and in the region by 12,020 jobs. Total earnings in the city would increase by somewhere around \$281 million, and in the region by \$411 million. There would be an increase in sales and tax revenues.

The city of San Francisco would generate revenues from a number of sources. It will make over \$4 million a year in taxes, property, sales, business, and hotel, by the year 2000. Yet H.R. 3433 has no requirement that the city contribute anything to the cost of taking care of the Presidio.

Mr. VENTO. Mr. Chairman, I withdraw my point of order.

Mr. Chairman, I rise in strong opposition to the amendment. I would explain to my colleague the amendment or line numbers or page numbers are different, and that is the basis. Unless I have the amendments here, I will reserve points of order.

Mr. Chairman, I would say I rise in opposition to the amendment. This really takes us back to 22 years ago.

The CHAIRMAN. The Chair would like to make sure it is clear.

Mr. VENTO. Mr. Chairman, I was saying I will reserve points of order for the benefit of my colleagues, unless I have current copies of the amendment. This amendment is offered on page 26. The amendment they shared with me was page 23, line 10. This gentleman has withdrawn his point of order.

The CHAIRMAN. The gentleman's reservation is not to this amendment.

Mr. VENTO. Mr. Chairman, I have been recognized in opposition to the amendment.

Mr. ALLARD. Mr. Chairman, if the gentleman will yield, I believe we have provided the current amendment, and if Members do not have it on that side, we will be glad to pass it over.

Mr. VENTO. Mr. Chairman, I rise in opposition to the amendment. With the right page numbers or the wrong page numbers, it is the wrong amendment at this time.

Mr. Chairman, this amendment takes us back to 22 years ago, to the development ceiling which was appropriate, I guess, then for the GGNRA. This would vitiate the effect of this particular bill. This would undercut and negate the purposes of the bill that we have before us. It would limit the development of the area to \$48 million. It would limit the annual appropriation overall to \$25 million for the appropriation and require matching funds. We do not limit operating funds in any national park or require matching funds on a one-to-one match.

Mr. Chairman, the assumption that we are making in the bill is that the State, the city government, the non-profit sector, that the private philanthropic sector, will in fact participate significantly in the development and other activities for this park.

But, nevertheless, this amendment restricts funds appropriated for the operation and development of facilities, those directly related to the administration of the GGNRA or public use programs. That would in essence mean that the efforts of the Presidio Trust, the public benefit corporation that is being moved forward here, could not use any of the leverage or dollars that are anticipated to be appropriated for them to in fact accomplish their purpose. This is, as I say, again, negating the effect of having a public benefit corporation.

Now, the fact of the matter is that the public-private partnership cannot go forth unless we provide the resources and the flexibility for them to in fact invest and take the actions that are necessary to take down the buildings that are undesirable, to keep and repair the buildings that are necessary, and will be leasable, and over half of which already has been leased to the State of California and to the 6th Army. This would in essence stop that process.

In addition, it would unnecessarily tie the hands of the Trust from bringing the facilities up to code and to standards that would assure their being leased and reducing to the cost to the Federal Government of operating the Presidio.

Further, it is patently unfair to tie the Presidio's operations to a development ceiling that was established over 20 years ago for a much smaller park unit that does not include the Pre-

sidio's nearly 1,500 acres and nearly 900 buildings.

Finally I would note that the bill as amended already places a dollar cap on the trust borrowing authority. That was by virtue of the action of the Committee on Ways and Means. It certainly is a development cap that is much different than the cap that is being proposed here.

Mr. Chairman, it is just this type of amendment which I think has resulted in actually having the Federal Government spend more money. We are asking for a private-public partnership. But the first thing that happens is that Members get up on the floor and they want to renege. They want to renege on the ability of the national government to respond to or engage the private sector.

Here you have a 5-year plan that was put forth. For 5 years, the National Park Service has been planning in good faith with the city of San Francisco, with the other entities that are interested, and with the private sector. And what this does is throw out this plan and start over with some idea, and I think a flawed idea, that is being presented on this floor in order to change how we are going to run the park.

They want to have it both ways. If you want to engage in a public-private partnership, then you have to do so in good faith. You cannot at the first hand abandon that particular process before it even has a chance to be tried. We have plenty of controls, plenty of accountability. This amendment is harmful and deleterious. I urge Members to defeat it.

Mr. Chairman, I rise in opposition to the Allard amendments to H.R. 3433. The amendments strike section 3(t) of the bill, which is the authorization of appropriations for the Presidio in its entirety and inserts: No. 1, limits on development of recreation area to \$48 million; No. 2, limits annual appropriation of \$25 million, beginning in fiscal year 1996, to \$1 of Federal funds for each \$1 of funds contributed by State, city and other non-Federal sources, and No. 3, restricts funds appropriated for operation or development of facilities to those directly related to administration of GGNRA or general public use programs.

Extensive studies have been done identifying rehab costs for each structure and area of the Presidio. To arbitrarily limit the amount of funding associated with rehab or the Presidio would negate the ability of the NPS and trust to achieve the goals and very purpose of the act. In addition, it would unnecessarily tie the hands of the trust from bringing the facilities up to code and standards that would assure their being leased and reducing the cost to the Federal Government of operating the Presidio. Further, it is patently unfair to the Presidio operations to a development ceiling that was established over 20 years ago for a much smaller park unit that did not include the Presidio's 1,400 acres and 870 buildings. Finally, I would note that the act as amended already places a dollar cap on the trust's borrowing authority.

With regards to the second amendment, the amount of funds expended by a local, State,



or other non-Federal source on a unit of the National Park System cannot be used as a measuring stick as to how much Federal funds should be appropriated to assure the continued operation of that unit. Furthermore, there is no assurance that a local or State government will provide any funds to a unit of the National Park System. In this case, if the city of San Francisco or the State of California provided no funds in any given year to the Presidio then no Federal appropriation could be expended for visitor use programs or visitor use facilities.

Finally, I would point out that the act already provides that all activities and management of the Presidio must be consistent with the establishment of the GGNRA, the general management plan of the GGNRA, and the general management plan amendments for the Presidio. Therefore, the third amendment restricting the use of funds is unnecessary and appears to be an attempt to thwart the management of the Presidio.

Mr. HANSEN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I yield to my friend, the gentleman from Colorado [Mr. ALLARD].

Mr. ALLARD. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, this amendment is just merely an attempt to try and bring some common sense and some local participation in this park. It is a park that is mainly used by the local inhabitants of the area.

I would like to share with the House some additional figures that I have on the cost-per-visitor to this park. I would like it to do some comparisons.

The majority report states the cost of the Presidio is similar to that of other parks. However, when considering the actual costs of operating the Presidio, the number of visitors each year, we see the Presidio is not similar to costs in our great national parks. Rather, it is more than five times the cost.

The Yosemite figures out on a per visitor basis of \$4.47; the Grand Canyon, \$2.67; Gettysburg, \$2.67; Cape Cod, \$.74; Rocky Mountain National Park, \$2.53; and yet the Presidio is figured out at \$7.35 per visitor.

The costs of the Presidio are driven up because the Federal Government is having to subsidize all the tenants at the Presidio which have nothing to do with the mission of the National Park Service.

The cost of construction of the Presidio is \$600 million. The cost of operations is \$40 million a year. And over 15 years, this is an additional \$600 million, bringing the total cost to \$1.2 billion.

The cost of operating the park today is \$25 million, which has already been provided for in the next budget year. Today the National Park Service is managing 150 acres of the park with the most intensive visitor use for only \$700,000. No justification has been provided to this body suggesting that the

cost of managing visitor use on the other less-visited portions of the Presidio will be five times more expensive.

Finally, this amendment precludes the secretary from subsidizing tenants at the Presidio. This is probably the real reason that costs are so high. Although the National Park Service budgets are so obscure by smoke and mirrors, it is difficult to be certain.

I believe that this is a common sense approach. I do not believe that we are asking too much by asking San Francisco to be a participant in a park that is used by local residents.

□ 1600

Ms. PELOSI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Allard amendment. Before talking about the contribution of the city of San Francisco, I want to point out that the Golden Gate National Recreation Area, of which the Presidio will be a part, gets visited by 20 million people per year, that is more than Yosemite, Yellowstone, and Grand Canyon combined, and that the cost per visit is \$2 per visit for the GGNRA.

Mr. ALLARD. Mr. Chairman, will the gentlewoman yield?

Ms. PELOSI. I yield to the gentleman from Colorado.

Mr. ALLARD. If we talk just about visitation, the gentlewoman's figures include the Golden Gate Bridge Park and all the parks in that area. But if we talk just about the park itself, the Presidio Park, we are talking about 3.4 million.

Ms. PELOSI. It becomes a park on October 1.

Mr. ALLARD. That Presidio area, that is what our visitation is right now, 3.4 million.

Ms. PELOSI. I appreciate the gentleman's point, but we are talking about a park that will not come into existence until October 1 and the park facility, of which it is a part, receives that many visitors now. We anticipate that with the designation of park and all of the amenities and interpretations that the Park Service will be providing at that time, that the visitations will increase.

Mr. ALLARD. I thank the gentleman for yielding. I just wanted to clarify for the record that we actually have 3.4 million visitors to the Presidio area itself.

Ms. PELOSI. Again, I call to my colleague's attention that the gentleman is talking about what is happening now. I am, too, in terms of the GGNRA. When the Presidio becomes a national park, the visitation for both the GGNRA and its component, the Presidio, will even be greater than three times Yosemite, Yellowstone, and Grand Canyon. It is greater now but it will even be greater than those remarkable and incredible monuments in

our country, of which we are all very proud.

I would like to get to the point that first of all I would like to rise in opposition to the Allard amendment. It would, in fact, gut our legislation. It would undermine our attempts to have maximum use for the park, a magnificent park with minimum exposure and cost to the taxpayer. That is our goal, our responsibility for the taxpayers, what drives this. This is the most cost effective way to proceed. We have studied 19 models. We have considered every possible option.

We are very proud of the proposal that we are putting forth. It would be seriously undermined by the Allard amendment.

The gentleman from Colorado [Mr. ALLARD] mentioned in his comments, what is the contribution of the city. Mr. Chairman, I would like to place in the RECORD a letter from the mayor of San Francisco to the gentleman from Minnesota [Mr. VENTO], chair of the subcommittee, spelling out the city's commitment. It is a reiteration of what the mayor presented to the House subcommittee in hearings as well as the Senate subcommittee.

It talks about utility services and improvements, the contributions from the city are pages long. Time would prevent me from reading all of it, but it talks about the city's role for operation and maintenance of the Presidio's water, electrical, and sewer systems, which could help reduce Presidio's operating costs. It talks about a reclaimed water plan to supply 1 million gallons of treated reclaimed water per day to meet the Presidio's irrigation needs.

It talks about an extension of the Richmond transport project, which we are hoping to do, which would eliminate a sewer out fall at the Presidio's Baker Beach. It goes on to the cost savings involved in that. Talks about transit and traffic improvements, community transit planning process for capital and operational improvements will incorporate the needs of the Presidio. The city and county will pursue potential funding sources for increased capital, capital and operating costs for the Presidio. And longer range plans to extend bus, light rail and water taxi service to the Presidio as described in the draft Presidio plan.

Talks about public safety, services, the city and county will provide backup assistance from our police department, fire department and emergency medical services, technical assistance and services for the Presidio, which go into great detail.

I urge our colleagues who are concerned about this, the city's contribution, to make reference to the mayor's letter. The city has a strong commitment to do its share, but the recognition is that this is a national park and, therefore, we have a national responsibility as spelled out by the law.

Mr. Chairman, I include for the RECORD the letter to which I referred.

OFFICE OF THE MAYOR,  
San Francisco, CA, March 24, 1994.

Hon. BRUCE F. VENTO,  
House of Representatives,  
Washington, DC

DEAR CONGRESSMAN VENTO, Thank you for your recent letter on the conversion of the Presidio to National Park Service management. On behalf of the people of the City and County of San Francisco I want to thank you for your ongoing efforts to preserve the Presidio of San Francisco. I truly believe that the successful transformation of the Presidio from a military installation to a national park will be a project that will be appreciated by generations to come.

I also want to express my strong support for H.R. 3433, the legislation that would create a public benefit corporation at the Presidio. I believe that this type of creative legislation represents the type of partnership between the public and private sector that will be necessary to make this project work.

As I stated in my testimony to the Golden Gate National Recreation Area Advisory Commission on December 11, the City and County of San Francisco's commitment to the transformation of the Presidio to a National Park is very strong. City officials and department staff have devoted hundreds of hours over the past three and a half years to help facilitate the smooth conversion of the Presidio and the planning for its future management.

We are very aware of the importance of reducing costs and generating revenues at the Presidio. We understand the difficult economic climate faced by all levels of government, as San Francisco confronts continuing budget shortfalls and the need to make painful cuts in City services. Despite our current economic difficulties, the City and County is committed to providing a range of critical services and valuable technical assistance to the Presidio which will help assure its successful conversion.

Some of these contributions to the Presidio by the City and County of San Francisco are described below.

#### UTILITY SERVICES AND IMPROVEMENTS

The San Francisco Public Utilities Commission and Department of Public Works are currently assisting the Park Service to explore potential roles for the City in operation and maintenance of the Presidio's water, electrical and sewer systems which could help reduce Presidio operating costs. One possibility would be for the City to assume responsibilities for specific aspects of these utility systems and help implement the ambitious program of conservation and resource management outlined in the Plan, which includes many conservation programs already in place in the City.

The City is currently preparing a Reclaimed Water Plan which includes spending approximately \$25 million to supply 1 million gallons of treated reclaimed water per day to meet the Presidio's irrigation needs. Serving the Presidio has required a significant increase in the capacity of the City's planned reclaimed water treatment plant and delivery system to a total of 14 million gallons in flow capacity. The reclaimed water will reduce the Presidio's potable water demand and treatment and distribution costs and enable restoration of groundwater levels and surface water flows in Lobos Creek. The \$25 million to serve the Presidio represents over 12% of the total City project cost, which is anticipated to be funded from

revenue bonds and State loans to be repaid through local sewer service and water rates.

While the rate structure for reclaimed water has not yet been established, it will be set at or below that of potable water. Since the cost of producing reclaimed water will exceed that of potable water, and the Presidio will be consuming primarily reclaimed water, this reclaimed water will be provided at a significant discount.

In addition to the reclaimed water investment, the City is currently constructing an extension to its Richmond Transport project which will eliminate a sewer outfall at the Presidio's Baker Beach. The extension, which added \$2.2 million to the cost of designing and constructing the City's Richmond Transport project, will completely eliminate the possibility of wet weather sewer overflows at the beach, which previously occurred roughly 40 times per year, protecting the health of the public and the natural environment. As with the reclaimed water, these expenditures were funded with bonds repaid from local sewer service charges. Additional City investments made on Presidio land as part of the project include \$300,000 for revegetation and a restoration study of Lobos Creek and \$120,000 for new restroom facilities at the beach.

#### TRANSIT AND TRAFFIC IMPROVEMENTS

The Draft Presidio Plan and EIS rely on a number of extensions and realignments of existing San Francisco public transit lines to increase service to the Presidio and reduce the impacts of dramatic increases in Presidio visitors. We will incorporate these recommendations in the San Francisco's MUNI transit planning process for capital and operational improvements.

The capital costs of the recommended service extensions of MUNI's 41 and 45 Union lines from the Presidio boundary to the Main Post alone are estimated at \$1.7 million. MUNI estimates its increased operating costs for extending service on the various lines serving the Presidio to be \$300,000 annually. The City and County will pursue potential funding sources for these increased capital and operating costs so these Presidio transit service improvements can be made.

The Park Service and their consultants have concluded that increased express transit service between the Presidio and downtown is also needed to help attract Presidio tenants. A number of options to provide such service are being studied, including expanding MUNI express service. The annual operating cost of such additional service for the county's MUNI transit service would be approximately 41 million. A large portion of these operating costs are subsidized by the City's general fund.

Longer-range plans to extend bus, light-rail and water taxi service to the Presidio as described in the Draft Presidio Plan would require millions in capital costs and ongoing operating subsidies from MUNI and other operators. The City and County will continue to coordinate transportation planning with the Park Service to realize plans for transit improvements to serve future Presidio visitors.

Traffic improvements to City streets and intersections near the Presidio to accommodate the traffic increases projected in the Plan EIS will cost the City and County an additional \$2.5 million, according to estimates by the Park Service.

#### PUBLIC SAFETY SERVICES

The City and County will be providing backup assistance from our Police Department, Fire Department and Emergency Med-

ical services staff to the Presidio's public safety operations. We are currently exploring the potential for lease of Presidio facilities by the City's police and fire department. This arrangement could help preserve and upgrade historic buildings while providing Park Service fire and law enforcement personnel with assistance from specially trained City staff and their equipment.

#### TECHNICAL ASSISTANCE AND SERVICES

The City will continue to provide substantial technical assistance from experts in a wide range of City departments to Park Service staff in reviewing infrastructure requirements, overseeing toxic remediation efforts, planning transportation improvements, operating facilities and utility systems, projecting staffing requirements, meeting environmental requirements, and numerous other areas. Over the past three years this collaboration has required an average of one meeting each month by the 85 designated department representatives involved, at a cost of over \$300,000 in senior staff time. This collaboration is expected to extend well into the future given the multitude of operational and planning decision to be made and coordinated between the two agencies.

#### OTHER CITY AND COUNTY SERVICES

In addition to these services of specific value to the National Park Service management of the Presidio, the Presidio's residents, employees and visitors will benefit from a whole range of City and County services which increase the attractiveness of the Presidio as a place to live, work and visit. Among City services provided to residents are public schools, parks and recreation facilities, libraries and public health services. Among services provided to employees are child care services, transit service and City street improvements and employment programs. Among services provided to visitors are convention facilities and services, the San Francisco International Airport, and an unparalleled collection of publicly maintained tourist attractions which make San Francisco a favorite destination for national and international travelers. Because the Army provided many of these services to Presidio employees and residents, and generated far less visitor traffic than is projected under Park Service management, use of these kinds of City and County services and facilities by Presidio residents, employees and visitors is likely to be significantly higher in the future.

I look forward to working with Congresswoman Pelosi and Park Service representatives to identify opportunities for revenue growth to help support both Park Service and City capital and operational expenses related to the Presidio. Although setting aside local revenues for Presidio services, as you suggested, is constrained by both State law and the City Charter, I am willing to assure City services and improvements to serve the Presidio are a priority in my budget proposals. We will also examine the potential for the City to provide financing assistance.

In closing, I want to reiterate the City's commitment to the transfer of the Presidio to become part of the Golden Gate National Recreation Area, completing the late Philip Burton's vision for a great national park at the Golden Gate. The 1972 federal legislation has helped to preserve for public use some of the most spectacular historic and natural areas in the Bay Area. The City has been a partner with GGNRA in realizing the park's potential since the park's inception. The City recently purchased a key parcel linking



Ocean Beach and Land's End with over \$3 million dollars in open space acquisition and sewer project funds for transfer to GGNRA. This land donation was the latest of many City contributions to GGNRA's necklace of waterfront open space which include much of Ocean Beach and Land's End.

We know you share our strong belief that the Presidio's extraordinary historical, natural and scenic resources, coupled with its accessible location, guarantee that it will be a national Park of truly international significance. Its preservation and successful conversion to civilian use in a project which will benefit all Americans. Please let us know if we can be of any further assistance to you in this important effort. Thank you again for your support.

Sincerely,

FRANK M. JORDAN,  
Mayor.

Mr. VENTO. Mr. Chairman, will the gentlewoman yield?

Ms. PELOSI. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I would point out that there is no requirement on any national park for a matching contribution in terms of operating funds. This is a completely unprecedented addition that would be placed on this unit.

Furthermore, the Presidio itself, there is an expectation with regards to operation and maintenance that the projected costs that are in the materials that have been presented would be expected to decrease, down to 15 million over a period of 20 years. So that the actual cost would actually go down.

So I think it is very important to recognize the commitments that have been made. But to mandate them would be completely unprecedented. I think we expected the contributions to be made, but we do not mandate this for any other park. It may be a new innovative thing. We ought to do it for each park. There is no reason to treat this particular park, even today the dollars that are going to GGNRA, the park portion that is already in the park system would have this applied to it.

So I thank the gentlewoman for yielding and for permitting me to make that point.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the amendment and I rise in strong opposition to the amendment. I will explain myself a little bit.

I came here on the House floor wanting to fight against the Presidio proceedings. I will explain why. I look at most of the Members that are supporting this, and I think the gentlewoman from California [Ms. PELOSI], who I have worked with and have immense respect for, has gotten to the tail end of the California desert plan, which most of the Members supporting this thing totally disagree with property rights and some of the other issues

that we fought on the California desert plan.

I look at base closures and I know that almost everyone in this room, Mr. Chairman, in base closures fought for their bases. That BRAC delegation looked at the value of closing a base and saving taxpayer dollars.

I also know that this body has not fully funded BRAC, has become an immense burden on our Armed Forces, which causes the existing money that they have in the defense bill to be dwindled even more. I have talked to the gentlewoman from California [Ms. PELOSI].

I would like to enter into a dialog with the gentlewoman, if she would. The reason I am for and against this, I have not made up my mind on how I am going to vote on this blasted thing.

On one side of me, I know that the parks are going to have problems because of the funding, but yet I am told there are more people going into the Presidio than any other park. It looks like it ought to be able to pay for itself. Yet I know that we are going to tear down a lot of those buildings. That costs money. But yet the gentlewoman has told me, and I would like her to assure me, that this money is a loan and not a grant and will be repaid.

I would like the gentlewoman to speak to that.

Ms. PELOSI. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentlewoman from California.

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding. I would like to back up to some of his previous remarks.

First of all, as the gentleman knows, the Army has been a good neighbor to the San Francisco Bay area, to California for over 100 years. It was with great dismay that we learned that the Army would be closing the Presidio. My colleague, Senator BOXER, and I, when she was a congresswoman, fought very hard to say to the Army, please stay, "it would be more cost effective if you stay than if you leave." As a matter of fact, not one member of the BRAC commission or the base realignment and closing commission came to the Presidio, not one staff person walked the grounds.

We think that if they had, they might have seen that the teaching hospital there and the mission of the 6th Army that was there, they might have kept the Presidio open and I would have been pleased with that. The mission was not eliminated but reduced at the Presidio, so the Army will be the major tenant, occupying 30 percent of the Presidio.

That leaves the Park Service two thirds, 70 percent of the Presidio to maintain.

So what we have come up with is, I think, a very cost effective way to protect the taxpayer. We have that inter-

est as well as the gentleman has that interest. We have our credibility on the line on this.

We have come up with a way where the Presidio Trust will be formed. It will not receive grants from the Federal Government. It will have the borrowing authority. The money borrowed will be used to rehab or take down facilities in order to rent these properties. It will produce a revenue stream which will, in turn, repay the loans and also reduce the cost of the Presidio to the Federal Government, because on the ongoing cost of maintaining the grounds. And that would be reduced over time.

Mr. CUNNINGHAM. Mr. Chairman, once the loan is paid off, would the dollars from the residents and constituents coming into the park be used to pay for the park itself once the loan is paid off?

Ms. PELOSI. Mr. Chairman, if the gentleman will continue to yield, according to our plan, as the loans are paid off, then the operating cost of the Presidio would then be reduced as well by the funds that we will have coming in. But once we pay off our loans, we are in a whole other arena. That is about 10, 12, 13 years from now.

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At that time, all of the costs to the taxpayer will be reduced, even beyond—we see the Presidio becoming a park as drastically reducing the cost to the taxpayer immediately, but once we pay off the loans and we have a revenue stream coming in and we pay back the loans, then the costs will even go down further than they are now.

Mr. CUNNINGHAM. Does the gentlewoman have an estimate of when that loan will be repaid, based on the revenue coming into the park?

Ms. PELOSI. If the gentleman will continue to yield, the fact is the more authority that the Congress—we will be able to do this most expeditiously to the extent that Congress will enable us to. That is why this legislation is so important. To the extent that we are able to invest in rehab and tearing down of properties and bringing tenants on and producing a revenue stream, then we can reduce it faster. I would imagine that in 15 years we will be at that point.

Mr. CUNNINGHAM. Reclaiming my time, I still have not made up my mind on the vote on this thing, but I think we need to support national parks. However, I also look, as I said, at the California desert plan, in which the extremes were used and extreme arguments, and what little bit of my negative feeling carries over to this thing because of what we went through in the California desert plan.

Mr. MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think it is important that the membership focus on what is

taking place here today. We have an opportunity with the passage of this legislation to react to a situation that is forced upon us already because of current law.

That is a decision made by the Congress of the United States in 1972 that, should the Army vacate the Presidio, it would become part of the national park system of this country. It is clearly, as people on both sides of the aisle have said, worthy of that designation, and deserves that designation. That is going to happen. The Army has concluded its negotiations. It is reserving a small portion for itself, and the rest of it is to be turned over to the park system.

Anticipating that, Mr. Chairman, for the last 5 years—for the last 5 years the Park Service has undertaken a study to determine how they can absorb the Presidio into the system. A private and public effort has been made to see how we could do that in the least costly fashion.

The principles that are being used here are to minimize the public exposure and maximize the private exposure for the renovation and the conversion of the Presidio from an Army base to a park and to some commercial development that will support the park on an ongoing basis. That has involved the leading citizens of San Francisco, leaders in the financial community, banks, insurance companies, and others that have lent their time, lent their staffs, their computers, to try to figure out how to do this.

What they have come up with is now what the gentlewoman from California [Ms. PELOSI] has presented to our committee, passed by our committee, where we had this same amendment and some of the other amendments, all of which were determined by the Park Service to be more expensive than the way the committee and the people of San Francisco, the Park Service, and the private sector determined this should be done.

Mr. Chairman, that is the choice, to pass the committee bill and transfer this property and utilize this property as a national park in the most cost-efficient way possible. As Ms. PELOSI just said in response to the gentleman from California [Mr. CUNNINGHAM], the point here is to borrow some money to do some up-front venture capitalism, some infrastructure work.

We have many, many people who are interested in being tenants in that limited part of the park where we are going to have that kind of development, because of the preexistence of these buildings and the opportunity to help pay for this park. Then, Mr. Chairman, we will use the receipts from that development to help defray the cost of this park.

If we choose any of the other alternatives that will be presented here today, either in this amendment or in

the other amendments, they all become more expensive, because the city of San Francisco is not going to take this as a city park, because it is a national park.

If the National Park System gets this property without this authority, we will start simply cocooning these buildings, boarding up these buildings, and they will start to deteriorate, and the expenses will go on with no visible means of supporting those expenses. Mr. Speaker, in that case we will lose the opportunity to form a public and a private venture to support the rest of the park system for the utilization and the enjoyment of millions of Americans and citizens from around the world.

The gentleman talks about the people who visit The Presidio. I dare say that most people do not believe that they have public access to the Presidio today if they are not on official Army business. Most people do not realize that there is a great ability of the public to utilize that Army base even today, as an Army base. They do not go there. They do not go there because there is a guardhouse and a sign and restricted hours of use, the whole thing. Let us not compare it as an Army base to how it is going to be as a park.

Finally, Mr. Chairman, let me say on this notion of local contribution, the city of San Francisco is going to be contributing tens of millions of dollars, some in one-time cases for infrastructure work in response to the Presidio becoming a park, and millions of dollars on an ongoing basis to provide the services, police, fire protection, health, all of those kinds of services, that we do not ask Estes Park to provide to Colorado. No, we provide fire protection for the people living in Estes Park, outside, as part of the national parks.

The CHAIRMAN. The time of the gentleman from California [Mr. MILLER] has expired.

(By unanimous consent, Mr. MILLER of California was allowed to proceed for 4 additional minutes.)

Mr. MILLER of California. The point is what the gentleman says he wants to be done, no other park in the country is required to have that burden placed upon them. We do not ask the citizens of New York to cost-share the cost of the Statue of Liberty. This is a national park. It happens to be an urban national park. The people in urban centers ought to be able to enjoy that experience, especially when they have an asset the caliber of that.

The point, however, is this: That I appreciate that there are a lot of good ideas floating around on the floor today with some of the amendments, but none of them make this a less costly venture for the Federal taxpayer. It makes it a different venture, a different kind of venture. None of them

make it less expensive for the taxpayer than the committee bill.

This was not chosen by me as chairman of this committee. This effort was not chosen by Ms. PELOSI or the gentleman from Minnesota, Mr. VENTO, or anyone else. This was chosen by the Park Service, along with a public panel, to make a determination about what was the best and the most effective way to get this park up and running, and to be able to sustain it on a long-term basis.

The way that that could be done, Mr. Chairman, was with this plan to try to maximize the private participation to the extent that is consistent with this designation as a national park, and the values that the national park designation brings to this park and to the expectations of the citizens of this country.

Mr. ALLARD. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Colorado.

Mr. ALLARD. Mr. Chairman, I would just like to clarify for the record that the city of Estes Park is outside of the Rocky Mountain National Park. The Rocky Mountain National Park provides their services. The Estes Park city provides their services as far as sewer and water and police protection.

It just seems to me that if there is a concern about the cost of government and what is happening in that area, we ought to just privatize it. The Burger King, let them own the property and pay the taxes. It benefits the local school districts, it helps the local taxes.

Mr. MILLER of California. Reclaiming my time, the whole point is, ordinarily that would be fine. The fact is we are looking like a smart landlord. People always come up to you in your townhall business and say, "Why don't you run it like a business?"

We are trying to use those business principles. That is why we asked the business community of San Francisco and people across this country to donate their time, to donate their understanding of real estate, to develop this trust, because the Park Service does not have the capability or the expertise to do this, so we could start thinking smart on behalf of our taxpayers, so we could use the revenues of the Burger King as the landlord in that portion of the park to defray the expenses in the rest of the park, to get these other buildings up to code where necessary, to tear some down that will make part of the park more attractive, to do all of that, to think smart, instead of just thinking, inherit this, inherit this as a burden of the Federal Government.

□ 1620

We have gone out and tried to share this. This is a very, very Republican plan—a very Republican plan, in the context of trying to utilize the business community.



Mr. ALLARD. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Colorado.

Mr. ALLARD. The Republican plan does not include government ownership of business.

Mr. MILLER of California. If I may reclaim my time, there is no support for a Republican plan that says you are going to sell off the national parks. Let us not put a different burden on the Presidio National Park than we would put on any other park. If the gentleman wants to put it to a debate in Colorado about selling off Rocky Mountain Park, if he wants to let the citizens of Boulder and Estes Park and Denver who enjoy that, and he talks about the fact that they use the park to a great extent, he is right, they do. The citizens of Colorado use it to a greater extent than anyone else.

The CHAIRMAN. The time of the gentleman from California [Mr. MILLER] has again expired.

(By unanimous consent, Mr. MILLER of California was allowed to proceed for 2 additional minutes.)

Mr. MILLER of California. Mr. Chairman, the citizens of Utah use the national parks in Utah to a greater extent than do citizens in Colorado and in California use their parks. So let us not use rhetoric to try to denigrate what is taking place here with one of the most incredible assets in this country and a decision that was already made by this Congress to make this a national park.

This amendment should be defeated because it simply guts the ability to incorporate the private sector into the financing and the support of this park. It guts the ability of the Park Service to hold on to the remaining part, and it leaves us with simply a sort of an old military ghost town. That is not what this bill is about and that is not what should be allowed to take place.

All of this borrowing, all of this has to be screened by the Secretary of the Treasury. It has limitations on it because we are trying to encourage the private sector to participate.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Ohio.

Mr. REGULA. Two questions. One, to your knowledge, is there any other park where a portion of the operating cost is paid by another level of government than the Federal Government?

Mr. MILLER of California. There are local communities that contribute to the purchase of land for the park. They sometimes contribute services, but as a condition of that park existing, would we require that contribution, no. But we use those same things throughout the country, where we try to get people to help us.

Mr. REGULA. The second question. The trust arrangement which I think

will be a unique arrangement to move the private sector into a position of responsibility here that has not been historically the case. Would that be correct?

Mr. MILLER of California. That is exactly the case. I appreciate the remarks the gentleman made earlier. This is sort of ground-breaking in terms of how the Park Service has developed the park, the involvement of the private sector. We have witnessed as taxpayers who have been taken to the cleaners sometimes because of bad deals the Park Service made on concession contracts and what have you. We are trying to redo that policy. Now we are trying to redo this one, where we can take the best of the private sector and the protection of public ownership for the assets of the park and combine those.

The CHAIRMAN. The time of the gentleman from California [Mr. MILLER] has again expired.

(By unanimous consent, Mr. MILLER of California was allowed to proceed for 1 additional minute.)

Mr. MILLER of California. Mr. Chairman, I think there are going to be three or four amendments here, but let me just say, none of them make it less expensive for the Federal taxpayer to maintain this park, to protect this park, and to open it up to the citizens of this country and to the citizens of the world. The view that is over here of the bridge and the Presidio is one of the most famous views in the entire world. We have an opportunity with a very unique, first time-ever public-private partnership to maintain that for the future generations of this country.

We ought to reject this amendment and the other amendments that will be offered to this bill.

Ms. PELOSI. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from California.

Ms. PELOSI. I thank the gentleman for yielding.

Mr. Chairman, one point I want to make in response to the question of the gentleman from Ohio [Mr. REGULA] is that the proposal that we have put forth, we wrote with the Treasury Department in terms of the borrowing power and the rest and signed off on by OMB. Although it is an innovative and fresh approach, public-private cooperation and the rest, it is not in a vacuum, it was with the cooperation of the Treasury Department and OMB that we brought this legislation to the committee.

The CHAIRMAN. The time of the gentleman from California [Mr. MILLER] has again expired.

(By unanimous consent, Mr. MILLER of California was allowed to proceed for 30 additional seconds.)

Mr. MILLER of California. Finally, if Members are concerned that somehow San Francisco is getting a free ride,

they are welcome to examine the letter from the mayor that outlines millions of dollars that San Francisco is going to have to expend on behalf of the utilization of this park by all of our citizens, all of our constituents, that that is what the city has committed itself to do. We should reject the Allard amendment and reject the other amendments to make this a more expensive effort.

Mr. Chairman, I submit four letters for the RECORD regarding consideration of H.R. 3433, as follows:

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON NATURAL RESOURCES,  
Washington, DC, July 29, 1994.

Hon. WILLIAM D. FORD,  
Chairman, Committee on Education and Labor;  
House of Representatives, Washington, DC.

DEAR CHAIRMAN FORD: Thank you for your letter dated July 27, 1994 regarding HR 3433, a bill to provide for the management of the Presidio by the Secretary of the Interior.

As noted in your letter, Section 3(v) of the legislation as reported by the Committee on Natural Resources provides that the Davis-Bacon Act and the Service Contract Act apply to the activities of the Presidio Trust. I recognize that the Committee on Education and Labor has jurisdiction over matters pertaining to the Davis-Bacon Act and the Service Contract Act. I understand that your decision not to seek action on HR 3433 does not waive your right to jurisdiction over section 3(v) of the bill, as reported, nor does it hinder your right to pursue conferees on that section, should a conference committee convene.

I will request that our exchange of letters on this matter be printed in the Congressional Record during the floor consideration of HR 3433.

Thank you for your Committee's cooperation in this matter which will expedite the consideration of this legislation by the House.

Sincerely,

GEORGE MILLER,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON EDUCATION AND LABOR,  
Washington, DC, July 27, 1994.

Hon. GEORGE MILLER,  
Chairman, Committee on Natural Resources,  
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: This week the House of Representatives is scheduled to consider H.R. 3433, a bill to provide for the management of the area known as the Presidio by the Secretary of the Interior. Section 3(v) of the proposed legislation, which was adopted at full Committee markup, provides that the Davis-Bacon Act and the Service Contract Act shall apply to construction contracts at the Presidio which are federally assisted.

The scope of coverage of the Davis-Bacon Act and the Service Contract Act are matters which are within the Rule X Jurisdiction of the Committee on Education and Labor. The Committee, however, has no objection to the language of the amendment of these issues which was adopted at the full Committee markup. Accordingly, the Committee on Education and Labor has no reason to take action with regard to H.R. 3433. Our decision to forego action should not be construed as a waiver of the Committee's Rule X jurisdiction. We would appreciate it if this letter and your response could be printed in the Congressional Record with the debate on H.R. 3433.

With kind regards,  
Sincerely,

WILLIAM D. FORD,  
Chairman.

HOUSE OF REPRESENTATIVES, COM-  
MITTEE ON PUBLIC WORKS AND  
TRANSPORTATION,

Washington, DC, August 18, 1994.

Hon. GEORGE MILLER,

Chair, Committee on Natural Resources, House  
of Representatives, Washington, DC.

DEAR GEORGE: It is my understanding that H.R. 3433, to provide for the management of the Presidio under the jurisdiction of the Secretary of the Interior, is to be considered by the House in the near future. It is also my understanding that the bill, as reported, contains a provision that affects matters under the jurisdiction of the Committee on Public Works and Transportation and that did not come to our attention until well after the report on the bill was filed.

While we recognize that any claim we have to sequential referral is no longer timely, we are concerned that our jurisdiction regarding this bill be protected. Specifically the bill would in Section 3(h)(4) authorize the Presidio trust to negotiate and enter into leases "without regard to section 321 of chapter 314 of the Act of June 30, 1932 (40 U.S.C. 303b)." Pursuant to Rule X, clause 1(p), our Committee enjoys jurisdiction over this provision of law. There may be other provisions in the bill which are also under our jurisdiction.

Therefore we would appreciate your acknowledging our jurisdiction regarding this bill. We also reserve our right to pursue conferees on the bill. Lastly, we request that you include our exchange of correspondence on this matter in the CONGRESSIONAL RECORD during debate on the bill.

Thank you in advance for your cooperation in this matter.

Sincerely yours,

NORMAN Y. MINETA,  
Chair, Committee on  
Public Works and Transportation.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON NATURAL RESOURCES,  
Washington, DC, August 18, 1994.

Hon. NORMAN Y. MINETA,

Chair, Committee on Public Works and Transportation,  
House of Representatives,  
Washington, DC.

DEAR MR. CHAIR: Thank you for your letter regarding consideration of HR 3433, to provide for the management of the Presidio under the jurisdiction of the Secretary of the Interior.

I acknowledge your Committee's jurisdiction over section 3(h)(4) of the bill and any other program of the bill which may be under your jurisdiction. I also recognize your right to pursue conferees on the bill.

I thank you for your cooperation in this matter, and will gladly include our exchange of correspondence in the Record during general debate on the bill.

Sincerely,

GEORGE MILLER,  
Chair, Committee on Natural Resources.

Mr. MINETA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise, in opposition to the Allard amendment and in support of H.R. 3433—a bill to provide for efficient and effective management of the Presidio.

Mr. Chairman, the Presidio Army Base in San Francisco is one of our Nation's most significant historic sites.

Designated as a National Historic Landmark in 1962, the Presidio holds the distinction of being the oldest continually operating military base in the country.

The base was established by the Spanish in 1776, was later controlled by Mexico, and came under the command of the United States in 1846. It also holds special significance for Americans of Japanese ancestry.

It was at Crissy Field that the U.S. military started the Military Intelligence Service Language School, just prior to our entry into the Second World War.

The Japanese-American instructors and students at the school were to play a crucial role in our ability to fight the war in the Pacific. General McArthur's Chief of Intelligence estimated that their efforts shortened the war by as much as 2 years.

The Presidio trust—established by this legislation—will ensure that the precious natural, cultural, and historic resources at the Presidio are managed in the proper way.

H.R. 3433 will streamline the operation of the Presidio. It will transfer operation of the Presidio from the Park Service to a Public Benefit Corporation and is projected to save the Federal Government millions of dollars.

The Presidio is a national treasure that must be preserved. I urge my colleagues to support sound management of the Presidio and support H.R. 3433, and to vote "no" on the Allard amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. ALLARD].

The question was taken; and the Chairman announced that the noes appeared to have it.

#### RECORDED VOTE

Mr. ALLARD. Mr. Chairman, I demand a record vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 171, noes 244, not voting 24, as follows:

[Roll No. 409]

AYES—171

Allard  
Andrews (NJ)  
Archer  
Armey  
Bachus (AL)  
Baker (CA)  
Baker (LA)  
Ballenger  
Barcia  
Barrett (NE)  
Bartlett  
Bateman  
Bentley  
Billirakis  
Blute  
Boehner  
Bonilla  
Bunning  
Burton  
Buyer  
Callahan  
Calvert  
Camp

Canady  
Castle  
Clinger  
Coble  
Collins (GA)  
Combest  
Crane  
Crapo  
DeLay  
Dickey  
Doolittle  
Dornan  
Dreier  
Duncan  
Dunn  
Ehlers  
Emerson  
Everett  
Ewing  
Fawell  
Fields (TX)  
Fish  
Fowler

Franks (CT)  
Franks (NJ)  
Gallegly  
Gekas  
Geren  
Gingrich  
Goodlatte  
Goodling  
Goss  
Grams  
Grandy  
Greenwood  
Hall (TX)  
Hancock  
Hansen  
Hastert  
Hayes  
Hefley  
Herger  
Hobson  
Hoekstra  
Hoke  
Hunter

Hutchinson  
Hyde  
Ingalls  
Inhofe  
Istook  
Jacobs  
Johnson (CT)  
Johnson, Sam  
Kanjorski  
Kasich  
Kim  
King  
Kingston  
Klug  
Knollenberg  
Kyl  
Lambert  
Lazio  
Leach  
Levy  
Lewis (FL)  
Lewis (KY)  
Lightfoot  
Linder  
Livingston  
Lucas  
Machtley  
Manzullo  
McCandless  
McCollum  
McCrery  
McHugh  
McInnis  
McKeon

McMillan  
Meyers  
Mica  
Michel  
Miller (FL)  
Minge  
Molinar  
Myers  
Nussle  
Orton  
Oxley  
Packard  
Paxon  
Penny  
Peterson (MN)  
Petr  
Pickett  
Pombo  
Portman  
Poshard  
Pryce (OH)  
Quillen  
Quinn  
Ramstad  
Ridge  
Roberts  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Roth  
Royce  
Santorum  
Sarpallus  
Saxton

Schaefer  
Schiff  
Schroeder  
Sensenbrenner  
Shaw  
Shays  
Shuster  
Smith (MI)  
Smith (NJ)  
Smith (OR)  
Smith (TX)  
Snowe  
Solomon  
Spence  
Stearns  
Stenholm  
Stump  
Talent  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Thomas (CA)  
Thomas (WY)  
Torkildsen  
Upton  
Vucanovich  
Walker  
Walsh  
Weldon  
Wolf  
Young (AK)  
Young (FL)  
Zeliff  
Zimmer

#### NOES—244

Abercrombie  
Ackerman  
Andrews (ME)  
Andrews (TX)  
Engel  
Applegate  
Bacchus (FL)  
Baesler  
Barca  
Barlow  
Barrett (WI)  
Becerra  
Bellenson  
Bereuter  
Berman  
Bevill  
Bilbray  
Bishop  
Boehlert  
Borski  
Boucher  
Brooks  
Browder  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Bryant  
Byrne  
Cantwell  
Cardin  
Carr  
Chapman  
Clay  
Clayton  
Clyburn  
Coleman  
Collins (MI)  
Condit  
Conyers  
Coppersmith  
Costello  
Cox  
Coyne  
Cramer  
Cunningham  
Danner  
Darden  
de la Garza  
de Lugo (VI)  
Deal  
DeFazio  
DeLauro  
Dellums  
Derrick  
Deutsch  
Diaz-Balart  
Dicks  
Dingell  
Dixon  
Dooley

Durbin  
Edwards (CA)  
Edwards (TX)  
Engel  
English  
Eshoo  
Evans  
Farr  
Fazio  
Fields (LA)  
Filner  
Fingerhut  
Flake  
Foglietta  
Ford (MI)  
Frank (MA)  
Frost  
Furse  
Gejdenson  
Gibbons  
Gilchrest  
Gillmor  
Gilman  
Glickman  
Gonzalez  
Gordon  
Green  
Gunderson  
Gutierrez  
Hall (OH)  
Hamburg  
Hamilton  
Harman  
Hastings  
Hefner  
Hilliard  
Hinchey  
Hoagland  
Hochbrueckner  
Holden  
Horn  
Hoyer  
Huffington  
Hughes  
Hutto  
Inslee  
Jefferson  
Johnson (GA)  
Johnson (SD)  
Johnson, E.B.  
Johnston  
Kaptur  
Kennedy  
Kennelly  
Kildee  
Kleczka  
Klink  
Kolbe  
Kopetski

Kreidler  
LaFalce  
Lancaster  
LaRocco  
Laughlin  
Lehman  
Levin  
Lewis (CA)  
Lewis (GA)  
Lipinski  
Lloyd  
Long  
Lowey  
Maloney  
Mann  
Manton  
Margolies-  
Mezvisky  
Markey  
Martinez  
Matsui  
Mazzoli  
McCloskey  
McCurdy  
McDermott  
McHale  
McKinney  
McNulty  
Meehan  
Meek  
Menendez  
Mfume  
Miller (CA)  
Mineta  
Mink  
Moakley  
Mollohan  
Montgomery  
Moorhead  
Morella  
Murphy  
Murtha  
Nadler  
Neal (MA)  
Neal (NC)  
Norton (DC)  
Oberstar  
Obey  
Oliver  
Ortiz  
Pallone  
Parker  
Pastor  
Payne (NJ)  
Payne (VA)  
Pelosi  
Peterson (FL)  
Pickle  
Pomeroy



Porter	Serrano	Torricelli
Price (NC)	Sharp	Towns
Rahall	Shepherd	Trafficant
Rangel	Skaggs	Tucker
Ravenel	Skeen	Underwood (GU)
Reed	Skelton	Unsoeld
Regula	Slaughter	Valentine
Richardson	Smith (IA)	Velazquez
Roemer	Spratt	Vento
Romero-Barcelo	Stark	Visclosky
(PR)	Stokes	Volkmmer
Rostenkowski	Strickland	Waters
Roukema	Studds	Watt
Rowland	Stupak	Waxman
Roybal-Allard	Swett	Wheat
Rush	Swift	Whitten
Sabo	Synar	Williams
Sanders	Tanner	Wilson
Sangmeister	Tejeda	Wise
Sawyer	Thompson	Woolsey
Schenk	Thornton	Wyden
Schumer	Thurman	Wynn
Scott	Torres	Yates

## NOT VOTING—24

Barton	Faleomavaega	Moran
Blackwell	(AS)	Owens
Bliley	Ford (TN)	Reynolds
Bonior	Gallo	Rose
Brewster	Gephardt	Sisk
Clement	Houghton	Slattery
Collins (IL)	Klein	Sundquist
Cooper	Lantos	Washington
	McDade	

□ 1648

The Clerk announced the following pair:

On this vote:

Mr. Barton for, with Mrs. Collins of Illinois against.

Mr. SOLOMON, Mr. KIM, and Mrs. SCHROEDER changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

□ 1650

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:

Page 25, after line 13, add the following new sections:

## SEC. 4. COMPLIANCE WITH BUY AMERICAN ACT.

No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1993 (41 U.S.C. 10a-10c, popularly known as the "Buy American Act").

## SEC. 5. SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

## SEC. 6. PROHIBITION OF CONTRACTS.

If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in

America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or sub-contract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in section 9.400 through 9.409 of title 48, Code of Federal Regulations.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TRAFICANT. Mr. Chairman, this is a Buy American amendment. It provides for a notice to those who would receive funds under the act, and encourages them to buy American-made products. It is similar to the other amendments passed on the floor.

As you know, Mr. Chairman, offering buy American amendments is a standard procedure for me.

The Trafficant amendment to H.R. 3433, The Presidio Management bill, is composed of three subsections. The first subsection simply ensures compliance with the buy American Act of 1933, by requiring a contract recipient under H.R. 3433 or to comply with sections 2 through 4 of buy American Act. The second subsection would provide for a notice to be sent to a recipient of funding under H.R. 3433. The notice expresses that it is the sense of Congress to encourage all recipients of funding to purchase American-made equipment and products. The third subsection in the Trafficant amendment prohibits the fraudulent use of made in America labels on any products or equipment purchased through contractual agreements or funding under this Act or amendments made by this Act.

Entities in violation of the fraudulent label section would be ineligible to bid for contracts.

I believe that it is imperative that buy American measures, such as this one, be incorporated into all bills that reach the House floor for consideration.

Mr. Chairman, I thank my colleagues for their continued support.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Minnesota.

Mr. VENTO. I thank the gentleman for yielding.

Mr. Chairman, we have no objection to this amendment. I think it is applicable to this bill. I do not anticipate any problems with it.

Mr. HANSEN. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the ranking minority Member, the gentleman from Utah.

Mr. HANSEN. I thank the gentleman for yielding.

Mr. Chairman, we have examined the amendment, we have no problem with it, and we accept it on the minority side.

Mr. TRAFICANT. Mr. Chairman, with that, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments?

## AMENDMENT OFFERED BY MR. CLINGER

Mr. CLINGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CLINGER: In section 3(h), amend paragraphs (4) and (5) to read as follows:

(4)(A) The Trust may negotiate and enter into agreements, including contracts, leases, and cooperative agreements, with any person (including any governmental entity) for the occupancy of any property within the Presidio which the Trust manages.

(B) Agreements under this paragraph shall be subject to procedures established by the Secretary under paragraph (5).

(C) Agreements under this paragraph may be entered into without regard to section 321 of the Act of June 30, 1932 (40 U.S.C. 303b).

(5) The Secretary shall establish procedures for agreements under paragraph (4), including a requirement that in entering into such agreements the Trust shall obtain such competition as is practicable in the circumstances.

In section 3(p), amend paragraph (2) to read as follows:

(2)(A) Except as provided in subparagraphs (B) and (C), Federal laws and regulations governing procurement by Federal agencies shall apply to the Trust.

(B) The Secretary may authorize the Trust, in exercising authority under section 303(g) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 253(g)) relating to simplified purchase procedures, to use as the dollar limit of each purchase or contract under that subsection an amount which does not exceed \$500,000.

(C) The Secretary may authorize the Trust, in carrying out the requirement of section 18 of the Office of Federal Procurement Policy Act (41 U.S.C. 416) to furnish to the Secretary of Commerce for publication notices of proposed procurement actions, to use as the applicable dollar threshold for each expected procurement an amount which does not exceed \$1,000,000.

In section 3(i), in the second sentence, strike "donate" and insert "transfer".

Mr. CLINGER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CLINGER. Mr. Chairman, I offer an amendment to H.R. 3433 as reported by the Committee on Natural Resources. The bill establishes a Government corporation called the Presidio Trust within the Interior Department for the management of the numerous properties that are part of the Presidio. But it provides authority for the trust

to be exempt from major Federal procurement laws. The special circumstances that would face the trust in disposing of leasehold interests in many buildings at the Presidio and in procuring property and services required in the management activities have been cited by the bill's proponents as justification for these sweeping exemptions.

But these exemptions go too far. Adequate justification has not been made for such a separation from current procurement controls.

My amendment, Mr. Chairman, would provide flexibility to the trust in out leasing building space and in contracting for goods and services and yet would maintain much of the current law.

With regard to the outleasing of space in Government's buildings, my amendment would set a standard of obtaining such competition as is feasible in the circumstances.

In addition, my amendment would relax certain provisions of Federal procurement statutes in order to expedite the making of awards. Current law provides for simplified acquisition procedures to promote efficiency and economy in contracting and to avoid unnecessary burdens for agencies and contractors. The law provides a ceiling of \$25,000 for purchases under this authority. My amendment would permit the trust to use these simplified acquisition procedures for each contract under \$500,000 and would reduce certain other administrative requirements with respect to purchases under \$1,000,000. These are very sizable steps.

Mr. Chairman, the Committee on Government Operations, which has jurisdiction over matters relating to Government procurement, must be vigilant in ensuring the basic integrity of Federal procurement laws and regulations in order to protect the taxpayers' dollars. As the ranking minority member of that committee, I believe the flexibility afforded by my amendment maintains that basic integrity yet properly recognizes the unusual, one-time need that establishment of the trust is intended to address. I strongly urge my colleagues to support this amendment.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. CLINGER. I yield to the gentleman from Minnesota.

Mr. VENTO. I thank the gentleman for yielding.

Mr. Chairman, I support the amendment. I think the improvements are workable improvements to the procurement provisions. I understand the gentleman's concerns, and I think that these improvements satisfactorily resolve them and give some necessary flexibility to the trust corporation.

Mr. CLINGER. I thank the gentleman from Minnesota for his statement.

Mr. HANSEN. Mr. Chairman, will the gentleman yield?

Mr. CLINGER. I yield to the gentleman from Utah.

Mr. HANSEN. I thank the gentleman for yielding.

Mr. Chairman, we have looked at this amendment. We feel it is a good amendment. We find it is interesting that this is the very thing we raised in our dissenting views. So we are glad to see the gentleman carried it out so that it becomes part of this bill. We felt all along that it should be, and we accept the amendment.

Mr. CLINGER. Mr. Chairman, I thank the gentleman very much for his support.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. CLINGER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GRAMS

Mr. GRAMS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GRAMS:

Page 26, line 12, strike "year." and insert the following: "year, which amount may not be adjusted upward for inflation before the end of fiscal year 2009."

Page 26, after line 14, insert the following: Of such aggregate amount, not more than the following amounts may be made available for operations for the fiscal year indicated:

- (1) \$24,100,000 for fiscal year 1996.
- (2) \$20,400,000 for fiscal year 1997.
- (3) \$19,100,000 for fiscal year 1998.
- (4) \$16,500,000 for fiscal year 1999.
- (5) \$16,100,000 for fiscal year 2000.
- (6) \$15,900,000 for fiscal year 2001.
- (7) \$14,300,000 for fiscal year 2002.
- (8) \$12,600,000 for fiscal year 2003.
- (9) \$12,400,000 for fiscal year 2004.
- (10) \$12,600,000 for fiscal year 2005.
- (11) \$12,700,000 for fiscal year 2006.
- (12) \$12,600,000 for fiscal year 2007.
- (13) \$12,500,000 for fiscal year 2008.
- (14) \$13,000,000 for fiscal year 2009.

Mr. GRAMS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. GRAMS. Mr. Chairman, polls show that the American people are rapidly losing faith in the integrity of their Government. This phenomenon is triggered by the results of people for years hearing one thing from their elected officials and then finding out later that they have been deceived.

There is no area of Government where this problem is as prevalent as it is on issues related to congressional budgeting. Only recently have American taxpayers been alerted to the fact that the budgets they see are not what they seem. Congress has played too many tricks, too many gimmicks and covered up their actions for too long.

It is time to change the way Congress and Federal agencies prepare their

budget. This House made a step in the right direction by rejecting the use of inflated baselines in the budget process. But now just one week later we have a bill before us which does just that, contrary to what its supporters may claim.

The language in H.R. 3433 claims that the aggregate level of funding for the Presidio will be capped at \$25 million per year. Yet the conference report accompanying this bill would enable the National Park Service to adjust this cap upward for inflation.

□ 1700

Assuming a minimum 3 percent annual inflation rate, Mr. Chairman, this legislation would allow the Park Service to spend \$40 million or more by the year 2009, if they choose to do so while claiming to cap such spending at \$25 million. In other words, Mr. Chairman, this clever piece of legislation is not intended simply to fool the American people. It is also intended to fool us, the elected Representatives of the people.

Then another budget gimmick contained in this legislation is one we have seen before, and that is the so-called \$25 million cap is an aggregate figure comprising of both operating expenses and repair/rehabilitation costs. Now in the past standard operating procedures have been to low-ball the operating expenses and then to use other sources of funding to cover repair/rehab costs, and that includes funding from other parks. Now this little budget trick has resulted in annual operating shortfalls for parks in all 50 States, and it has meant that the Park Service has to return to this Congress for supplemental appropriations to cover the shortfalls. Now that is pretty clever because it is one thing to ask for more money for one park which affects one congressional district and one Member of Congress, but to compound these shortfalls so they affect every State in the Union, that is something only the Federal Government can do, and it is called abusive budget practices, and it must come to an end.

Mr. Chairman, my amendment today would do just that. It establishes specific caps for operating expenses of the Presidio at the levels estimated, estimated for the National Park Service. In other words, it holds the Park Service's feet to the fire by making them live by their own numbers. If 25, 15, or 13 million is all they said they will need for operating expenses in any given year, that is all they will receive, and this change is not without precedent. Just 3 weeks ago a similar amendment was adopted by the House to the California Desert Protection Act. There is no reason why we should not adopt this same policy today.

My amendment would also prohibit the use of upward inflationary adjustments for the management of the Presidio, and in doing so it would put an



end to the budget gimmickry in this bill, and it would show the American people that what they see is what they will get, and that is honest budgeting for a change, and I realize this may be a new concept here in Washington, but it is the way the Federal Government should conduct its business, and under my amendment it is how it will be doing so in the future, at least for this portion of the NPS.

Now for the sake of honesty in congressional budgeting I urge my colleagues to support this amendment today, and by doing so we will begin the process of restoring the American people's faith in their elected officials, a difficult—

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. GRAMS. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, the gentleman referred to the conference committee report. Does the gentleman mean the committee report?

Mr. GRAMS. That is right.

Mr. VENTO. I would point out to the gentleman the bill provides for no inflationary increase. The committee report talks about 1994 dollars. The gentleman said there is an inflationary increase, that would lead this to be \$40 million in annual costs. Could the gentleman explain what he means by that? There is no inflationary factor in the bill or in the committee report. Could the gentleman point out those specific provisions in the bill or in the committee that he is referring to?

Mr. GRAMS. Yes. It is on page 24 of the committee report, section 3t which says: "authorizes appropriations of no more than \$25 million annually."

But then it goes on, if one reads down a couple of lines. It says: "The ceiling refers to 1994 dollars, and it does not apply to the Golden Gate National Recreational Area—"

Mr. VENTO. If the gentleman would yield further, would the gentleman yield?

Mr. GRAMS. Yes.

Mr. VENTO. Well, that reference is, of course, to the Presidio. Does the gentleman understand that there are two entities that we are dealing here, the Presidio and the Golden Gate National Recreational Area?

Mr. GRAMS. That is correct.

Mr. VENTO. And that there is no limitation on the Golden Gate National Recreational Area? Now does the gentleman understand that?

Mr. GRAMS. That is correct.

Mr. VENTO. And that under the park enabling laws that we do not have operating ceilings in any of our national parks; does the gentleman understand that?

Mr. GRAMS. But this is asked for specifically in this bill—

Mr. VENTO. If the gentleman would yield further, I will be happy to ask for additional time, if the gentleman needs

it, but I would just point out there is a development ceiling in this bill, there is an operating ceiling in this bill to the Presidio.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. GRAMS] has expired.

(On request of Mr. VENTO and by unanimous consent, Mr. GRAMS was allowed to proceed for 2 additional minutes.)

Mr. VENTO. Mr. Chairman, if the gentleman would yield further, I would just point out that whatever the other differences the gentleman and I or others may have with regard to this, I just want to point out that the \$25 million development in operating ceiling is absolute to the Presidio, that there is no suggestion that somehow there is a \$40 million ceiling with regard to the Presidio, that is not correct. There are separate provisions in here for the Golden Gate National Recreational Area.

So the policy we have before us is in the bill to put a development and operating ceiling on the Presidio.

Mr. GRAMS. What we want to make very clear is that where some of the budget gimmickry comes into because what we are talking about is the bill specifically says: this would be capped at \$25 million a year, including operating expenses and rehab as well, and what we are saying is that in the bill, if this is to be even a friendly amendment—

Mr. VENTO. Well, if the gentleman would yield—

Mr. GRAMS. Go ahead; I will yield.

Mr. VENTO. Yes, the bill, of course, does it. I would agree to that. Obviously the gentleman then goes off in a different direction with regards to policy. At least at the starting point there ought to be no difference in terms of view with regard to it, but there are other provisions to the gentleman's amendment. His amendment then takes this ceiling down in a descending order without any adjustment for inflation to \$12.5 million by the year 2008 and then begins going back up, I guess, for the year 2009 and beyond.

Mr. GRAMS. These are just the operating expenses, and these are the expenses that the Park Service asked for in the bill that was approved, and what we are saying is we would just like to hold the National Park Service's feet to the fire and say:

If this is what you asked for in the bill, these are the numbers that you have requested, we're just saying that we want to put these numbers or clarify the amendment to ensure that operating expenses will not exceed these dollars and will not eat into the capital or rehab expenditures in the future over the period of these 15 years.

Mr. VENTO. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Minnesota [Mr. GRAMS].

Mr. Chairman, first of all I would say that to my colleague from Minnesota

that the Park Service did not request a limitation on its operating expenses with regard to Presidio. It did, Mr. Chairman, specifically project what the cost would be, but these are merely that. They are projections.

Mr. Chairman, they did not seek that type of limit. As I said, and I would call my colleague's attention to it, that in fact there are not operating limitations on park units across the Nation, even those that have relatively high operating costs, such as the Steamtown National Historic Site in Scranton, and others do not have these limitations. The fact is that they have to come before the Appropriations committee each year. The budgets, which include the operating budget for the National Park System, they make actual recommendations on that. The reason the Committee placed a limitation on the Presidio is to make certain that we do have limitations on this.

The committee has already anticipated this and put on an operating and development ceiling on the Presidio because we are concerned about the costs of this particular project. What Mr. GRAMS is attempting to do here is absolutely unique, and, of course, what it does is put into a straitjacket the limitations that would be put on place in terms of operating the Presidio. We do not know. There may be exceptional expenses from one year to another. One year the operating expenses may go down, but there may be other activities or expenses that increase in a different year.

So, while it is, I think, important to recognize the descending costs as the leases and other types of private and public partnership activities benefit the Presidio take place. As they get a greater flow of revenue, it is quite likely that they will be able to reduce these costs, but because this amendment offers no flexibility, no opportunity to deal with the various problems, the various challenges that may arise, I am forced to oppose this amendment.

□ 1710

I understand the gentleman's concern and those that might share it with him. But this makes it impossible by tying the Park Service's hands. The Committee on Appropriations each year brings before the House an overall operating budget for over 300 national parks that we have. We have not got this type of limit on the St. Croix, or on the Mississippi, or on any other park, because it comes before the Congress each year. And we need to have that flexibility to deal with the types of problems that they face. The bill already has a limitation, and that is unprecedented.

Mr. GRAMS. Mr. Chairman, will the gentleman yield?

Mr. VENTO. I yield to the gentleman from Minnesota.

Mr. GRAMS. Mr. Chairman, what this does is set into law that they do not have to be accountable for the budget. They can overspend and come back to Congress and ask for further funding.

I would just like to point out in the closing minutes here that when you call for flexibility and to give the Park Service the flexibility, that is fine. But what we are talking about, mainly, or what usually happens, is that flexibility results in more dollars being asked from the taxpayers to supplement a budget that has gone over budget. We are trying to put into the law a friendly amendment.

Mr. VENTO. Mr. Chairman, reclaiming my time, I appreciate the gentleman's friendly amendment and assistance here. But the effect of this is to severely limit and tie the Park Service's hands. Most other parks do not have an operating ceiling. We put a ceiling in this bill because we are concerned about passing this responsibility to the National Park Service. So the gentleman fails to understand the nature of the limitations that already are present in the bill.

The fact is here that the amendment's type of limitation simply is not desirable or workable. Every year this comes before the Congress. We can make decisions on what parks receive. Some parks receive or need more or less operating expenses because of unforeseen events that occur, in Yellowstone when they had the fire. They may have other types of problems.

I am not talking about construction. We have an overall ceiling on this park because of the nature of the work and what is going on. To further restrict this is unworkable in terms of what the gentleman is proposing, and that is why I oppose the amendment. I think the gentleman has a solution in search of a problem. There is no problem yet, and you are trying to solve it. This is the sort of micro-management that results in mismanagement of a park and mismanagement and destruction of the private-public partnership which this legislation tries to establish.

So the gentleman really has a faulty policy amendment, and I urge a rejection of this amendment.

Mr. HANSEN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, we have heard all afternoon about how this public-private partnership will save funds. All day we have been hearing about the projections that would make the park cost-effective. Now we have got a reversal on our hands. I hope the body realizes this. Now we want got to reject the same assumptions and estimates that we have supported all day.

I remain unconvinced in that regard. However, I strongly support this amendment because it does hold the National Park Service accountable to the claims that the costs will do down.

Here is the brochure they talk about about this area, and the exact figures that are in here are in the gentleman's amendment. So all we are saying is they have said, look, we can do it for that amount. We stand up and tell the Congress we can do it. And now all we are saying is let us freeze that into law. If you can say you can do it, put your money where your mouth is.

So I support the gentleman's amendment.

I yield to the gentleman from Minnesota [Mr. GRAMS].

Mr. GRAMS. What this does, the way the bill is written, it allows a big door for a bus to be driven through. We can appreciate the flexibility that one park needs at a certain time or all the parks need. But when we set an overall budget, what we have allowed the Park Service to do is abuse this budget by taking money from one fund to another, from present operating funds to rehabilitation funds, from one park to another park. Then they can come back after draining these funds in excess and ask for a supplemental appropriation.

I can appreciate what the gentleman mentioned about disasters or extra dollars needed, but we do have supplemental bills that also pay for that. So to say this is coming out of the park budget is not true.

Again, this is not without precedent. Three weeks ago a similar amendment was adopted by this House dealing with the California Desert Protection Act. We should close the loophole. If we are going to have an overall budget that the National Park Service says they can live by, we should make them live by this budget.

This amendment just corrects some of the technical amendments.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. HANSEN. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, what we did in the California desert is not what we have here. That was an aggregate ceiling. This amendment puts a year-by-year operating ceiling. It would point out that what we did in California was put an aggregate ceiling on the operating and development costs. We did not put a year-by-year operating ceiling in place. So this is a step further. We already have an operating ceiling in the bill. That has already been addressed.

The ceiling, of course, prevents the moving of any additional money into the park. You cannot spend beyond the \$25 million ceiling. The appropriators may appropriate less. I think that is likely to happen. It is unprecedented to put this type of limitation on a year-by-year basis.

I would further point out to my colleague from Utah, while that is in the plan based on the number of leases and

the revenue flows, much of that is uncertain as to how readily that plan and how fully the objectives will be accomplished. I would point out that the National Park Service and the Department of the Interior did not request those dollar amounts in each of those years. That was simply an extrapolated number that may or may not be achieved in a given year.

I think they are reasonable, but I do not think they are likely. You would have to have a lot more flexibility if you are trying to show a general reduction in the operating expenses over that period of time.

Mr. GRAMS. Mr. Chairman, will the gentleman yield?

Mr. HANSEN. I yield to the gentleman from Minnesota.

Mr. GRAMS. Mr. Chairman, with the time remaining, I would like to ask the gentleman from Minnesota [Mr. VENTO] to answer one quick question. How can you account for shortfalls in operating budgets in all 50 States of the National Park Service? In Minnesota alone, in your district alone, it is \$1.2 million in shortfalls in operating expenses, this year alone.

Now, you take that in all 50 States. If we do not start putting a cap on this and stop this runaway spending, how are we going to bring the National Park Service budget under control, without allowing them to come back to this Congress in all 50 States, putting more pressure to supplement this money, and ask for a supplemental appropriations bill?

This calls out a real need for my amendment, when you look at a shortfall in every State of the Union. I think it is time to put a cap on this and make sure the National Park Service lives up to what they state.

Mr. VENTO. Mr. Chairman, if the gentleman will continue to yield, I would just point out the wish-list of the park superintendents with regard to what they would like with regard to operating dollars is not necessarily a valid shortfall, first of all. I think those numbers, I am sure the gentleman from Minnesota, my colleague, if he had the responsibility to go through them, would not fund every request of a superintendent or of a park.

I would admit that I think there are problems in meeting park needs, but they are not necessarily related to the lack of or the need of a ceiling with regard to the Presidio or those parks. I think the gentleman is adding together apples and pineapples in terms of trying to come up with a solution.

This is a solution in such of a problem. There is no problem. The ceiling is already on this park. No other parks have that type of ceiling. We think it is necessary because we want to send a message to the private-public partnership. We want it to function, and this amendment will effectively vitiate the ability of the private-public partnership to function.



Mrs. MINK of Hawaii. Mr. Chairman, I rise in opposition to the amendment. Mr. Chairman, I want to redirect the debate to the essence of the legislation that we have before us. Obviously there are budgeting problems in the National Park Service.

□ 1720

I think it would be a real mistake to use the errors and difficulties of the overall system and try to adjust them in this pending legislation. All of us have put forth many requests for funding for our national parks that have not been able to be satisfied by the Congress. But the point is that the Congress does meet in appropriations committees each year and they can decide as to what the priorities ought to be.

In this instance, we are embarking upon a new project, upon a new proposal which is coming to pass on October 1, 1994: the creation of a whole new park addition to the Golden Gate National Recreation Area.

It seems to me we ought to give the parties that have brought forth this idea a chance for success. We are being preached at constantly about the importance of a public/private partnership in all of these huge enterprises and endeavors for the public good. This is not a park for San Francisco. This is a park for the enjoyment of all of the people of the United States.

It is a national park, and it is one where we do not have to spend one additional cent for the acquisition of lands. It is in a gorgeous, beautiful area, where already millions of people come to visit.

Now, when the Presidio will be open as part of a national park, there will be tens of millions of people that will come to enjoy its beautiful setting, its historic place of over 200 years as a military site.

We have to trust in the analysis that has been poured over the last 4 years by private and public individuals in coming forth with this public/private venture, their estimates of the kinds of investments that will be forthcoming to make this into a productive, profitable venture in the National Park System.

It is unique. It is remarkable. It is visionary. And we ought to really stand up and applaud the gentlewoman from California [Ms. PELOSI] for coming forth with this bold idea which captures the sentiment of the people and the Congress of the current moment, that the private sector ought to be enlisted to come forth to help us save these great areas for the national public to enjoy.

We should not put any kind of hamstrings and restrictions on the possibility of this park to grow, to enable the private sector to use the charitable contributions that are going to be forthcoming, to allow it to flow with

whatever the estimates are. Estimates of the national park should not be engaged in some ironclad provision in legislation. Those are estimates based upon economics, upon the flow of generosity, of a huge amount of considerations that may not be as predicted in these reports on a year-to-year basis.

Therefore, I urge this body not to adopt this straitjacket, not to adopt these restrictions and to allow the private/public partnership that we are engaging for the first time in the history of the National Park Service to be able to come forth with the evolution of a beautiful park which will be to the great credit of the United States.

Mr. GRAMS. Mr. Chairman, will the gentlewoman yield?

Mrs. MINK of Hawaii. I yield to the gentleman from Minnesota.

Mr. GRAMS. Mr. Chairman, I am not here to argue about the beauty of this park or what we want to accomplish under this bill. What we are arguing is that we have to be responsible for the taxpayers. And we have said this is what we are going to do for this many dollars.

The gentlewoman is standing there and arguing that no matter what the cost, that we have to go ahead. The taxpayers will write us a blank check. I do not think that is fair. Let us hold the feet to the fire. Let us live within the budget that the gentlewoman or this bill asks for.

Mrs. MINK of Hawaii. Mr. Chairman, reclaiming my time, the point is that the legislation does an unusual thing. It puts a limit on the annual authorizations at \$25 million. It seems to me that is more than good faith on the part of the committee, given the limitations of our budget situation and our deficit problem. It has taken that into consideration. And going beyond that, it has embraced the idea of a Presidio trust, which will bring in charitable contributions and engage the private sector into the development of what I believe will be one of the most beautiful, most visited national parks on the west coast, to the great tribute of the taxpayers and the people of this country.

I urge that this amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. GRAMS].

The question was taken; and the Chairman announced that the noes appeared to have it.

#### RECORDED VOTE

Mr. GRAMS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 190, noes 227, not voting 22, as follows:

[Roll No. 410]

#### AYES—190

Allard	Goodlatte	Orton
Archer	Goodling	Oxley
Armey	Goss	Packard
Bachus (AL)	Grams	Paxon
Baker (CA)	Grandy	Payne (VA)
Baker (LA)	Greenwood	Penny
Ballenger	Gunderson	Petri
Barca	Hall (TX)	Pickett
Barcelo	Hancock	Pombo
Barrett (NE)	Hansen	Porter
Bartlett	Hastert	Portman
Bateman	Hefley	Pryce (OH)
Bentley	Herger	Quillen
Bereuter	Hobson	Quinn
Billirakis	Hoekstra	Ramstad
Blute	Hoke	Regula
Boehlert	Holden	Ridge
Boehner	Hunter	Roberts
Bonilla	Hutchinson	Rogers
Brewster	Hyde	Rohrabacher
Browder	Inglis	Ros-Lehtinen
Bunning	Inhofe	Roth
Burton	Istook	Roukema
Buyer	Jacobs	Rowland
Callahan	Johnson (CT)	Royce
Calvert	Johnson, Sam	Santorum
Camp	Kanjorski	Sarpalus
Canady	Kaptur	Saxton
Castle	Kasich	Schaefer
Chapman	Kim	Schiff
Clinger	King	Sensenbrenner
Coble	Kingston	Shaw
Collins (GA)	Klug	Shays
Combest	Knollenberg	Shuster
Cox	Kolbe	Skeen
Cramer	Kyl	Smith (MI)
Crane	Lambert	Smith (NJ)
Crapo	Lazio	Smith (OR)
Cunningham	Leach	Smith (TX)
DeLay	Levy	Snowe
Diaz-Balart	Lewis (FL)	Solomon
Dickey	Lewis (KY)	Spence
Doolittle	Lightfoot	Stearns
Dornan	Linder	Stenholm
Dreier	Livingston	Stump
Duncan	Lucas	Swett
Dunn	Machtley	Talent
Edwards (TX)	Manzullo	Taylor (MS)
Ehlers	McCandless	Taylor (NC)
Emerson	McCollum	Thomas (CA)
Everett	McCrery	Thomas (WY)
Ewing	McHugh	Torkildsen
Fawell	McInnis	Upton
Fields (TX)	McKeon	Vucanovich
Fish	McMillan	Walker
Fowler	Meyers	Walsh
Franks (CT)	Mica	Weldon
Franks (NJ)	Michel	Wolf
Gallegly	Miller (FL)	Young (AK)
Gekas	Minge	Young (FL)
Geren	Molinar	Zeliff
Gilchrest	Moorhead	Zimmer
Gillmor	Myers	
Gingrich	Nussle	

#### NOES—227

Abercrombie	Cardin	Durbin
Ackerman	Carr	Edwards (CA)
Andrews (ME)	Clay	Engel
Andrews (NJ)	Clayton	English
Andrews (TX)	Clyburn	Eshoo
Applegate	Coleman	Evans
Bacchus (FL)	Collins (MI)	Farr
Baesler	Condit	Fazio
Barlow	Conyers	Fields (LA)
Barrett (WI)	Coppersmith	Filner
Becerra	Costello	Fingerhut
Bellenson	Coyne	Flake
Berman	Danner	Foglietta
Bevill	Darden	Ford (MI)
Bilbray	de la Garza	Frank (MA)
Bishop	de Lugo (VI)	Frost
Blackwell	Deal	Furse
Borski	DeFazio	Gedensson
Boucher	DeLauro	Gibbons
Brooks	Dellums	Gilman
Brown (CA)	Derrick	Glickman
Brown (FL)	Deutsch	Gonzalez
Brown (OH)	Dicks	Gordon
Bryant	Dingell	Green
Byrne	Dixon	Gutierrez
Cantwell	Dooley	Hall (OH)

Hamburg	McDermott	Schenk
Hamilton	McHale	Schroeder
Harman	McKinney	Schumer
Hastings	McNulty	Scott
Hayes	Meehan	Serrano
Hefner	Meek	Sharp
Hilliard	Menendez	Shepherd
Hinchey	Mfume	Skaggs
Hoagland	Miller (CA)	Skelton
Hochbrueckner	Mineta	Slaughter
Horn	Mink	Smith (IA)
Hoyer	Moakley	Spratt
Huffington	Mollohan	Stark
Hughes	Montgomery	Stokes
Hutto	Morella	Strickland
Inslee	Murphy	Studds
Jefferson	Murtha	Stupak
Johnson (GA)	Nadler	Swift
Johnson (SD)	Neal (MA)	Synar
Johnson, E.B.	Neal (NC)	Tanner
Johnston	Norton (DC)	Tauzin
Kennedy	Oberstar	Tejeda
Kennelly	Obey	Thompson
Kildee	Oliver	Thornton
Klecicka	Ortiz	Thurman
Klink	Pallone	Torres
Kopetski	Parker	Torricelli
Kreidler	Pastor	Towns
LaFalce	Payne (NJ)	Trafcant
Lancaster	Pelosi	Tucker
LaRocco	Peterson (FL)	Underwood (GU)
Laughlin	Peterson (MN)	Unsoeld
Lehman	Pickle	Valentine
Levin	Pomeroy	Velazquez
Lewis (CA)	Poshard	Vento
Lewis (GA)	Price (NC)	Visclosky
Lipinski	Rahall	Volkmer
Lloyd	Rangel	Waters
Long	Ravenel	Watt
Lowey	Reed	Waxman
Maloney	Richardson	Wheat
Mann	Roemer	Whitten
Manton	Romero-Barcelo	Williams
Margolies-	(PR)	Wilson
Mezvinsky	Rostenkowski	Wise
Markey	Roybal-Allard	Woolsey
Martinez	Rush	Wyden
Matsui	Sabo	Wynn
Mazzoli	Sanders	Yates
McCloskey	Sangmeister	
McCurdy	Sawyer	

## NOT VOTING—22

Barton	Ford (TN)	Owens
Billiey	Gallo	Reynolds
Bonior	Gephardt	Rose
Clement	Houghton	Siskis
Collins (IL)	Klein	Slattery
Cooper	Lantos	Sundquist
Faleomavaega	McDade	Washington
(AS)	Moran	

□ 1743

The Clerk announced the following pair:

On this vote:

Mr. Barton for, with Mrs. Collins of Illinois against.

Mr. BACHUS of Alabama, Mr. HEFLEY, and Ms. KAPTUR changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Ms. PELOSI. Mr. Chairman, I move to strike the last word.

I thank the Chair for presiding over this debate today, and I thank the chairman of the full committee, the gentleman from California [Mr. MILLER]; the chairman of the subcommittee, the gentleman from Minnesota [Mr. VENTO]; and the ranking member, the gentleman from Utah [Mr. HANSEN] for his courtesy in the debate today.

There is a saying attached to the Presidio, Mr. Chairman, that a shot has never been fired in anger from the

Presidio and I think that that has carried over into this debate today. As different as our opinions are on the subject, I want to thank the minority for their courtesy in the course of the debate.

Mr. Chairman, I sought recognition to acknowledge the fact that one of our colleagues is not present today and that is TOM LANTOS, with whom I share representation of the city of San Francisco and who has worked very hard on this Presidio issue. The gentleman from California [Mr. LANTOS], as Members know, has had surgery, he is resting well, he is a strong supporter of the Presidio and he sends his support to us today.

In closing, I want to say that I hope that many of our colleagues will visit us at the Presidio, to visit the African-American Buffalo Soldier exhibit, to visit the Presidio and its Spanish heritage, to visit the magnificent ecological place that it is.

In closing, in addition to thanking the chairman and the ranking members, I want to acknowledge the hard work of Judy Lemons, John Lawrence, Rick Healy, Mark Trautwein, Sandy Scott, and Michael Yaki.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as modified, as amended.

The committee amendment in the nature of a substitute, as modified, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. McNULTY) having assumed the chair, Mr. DURBIN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3433) to provide for the management of portions of the Presidio under the jurisdiction of the Secretary of the Interior, pursuant to House Resolution 516, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

he SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. HANSEN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 245, noes 168, not voting 21, as follows:

[Roll No. 411]

## AYES—245

Abercrombie	Gillmor	Oberstar
Ackerman	Gilman	Obey
Andrews (ME)	Glickman	Oliver
Andrews (NJ)	Gonzalez	Ortiz
Andrews (TX)	Gordon	Pallone
Applegate	Green	Pastor
Bacchus (FL)	Gutierrez	Payne (NJ)
Baerler	Hamburg	Payne (VA)
Baker (CA)	Hamilton	Pelosi
Barlow	Harman	Peterson (FL)
Barrett (WI)	Hastings	Pickle
Becerra	Hayes	Pomeroy
Bellenson	Hefner	Porter
Bereuter	Hilliard	Poshard
Berman	Hinchey	Price (NC)
Bevill	Hoagland	Rahall
Bilbray	Hobson	Rangel
Bishop	Hochbrueckner	Ravenel
Blackwell	Holden	Reed
Boehlert	Horn	Regula
Bonior	Hoyer	Richardson
Borski	Huffington	Roemer
Boucher	Hughes	Rostenkowski
Brooks	Hutto	Roukema
Browder	Inslee	Rowlan
Brown (CA)	Jefferson	Roybal-Allard
Brown (FL)	Johnson (GA)	Rush
Brown (OH)	Johnson (SD)	Sabo
Bryant	Johnson, E.B.	Sanders
Byrne	Johnston	Sangmeister
Cantwell	Kennedy	Sawyer
Cardin	Kennelly	Schenk
Carr	Kildee	Schumer
Clay	Kim	Scott
Clayton	Klecicka	Serrano
Clinger	Klink	Sharp
Clyburn	Kolbe	Shaw
Coleman	Kopetski	Shepherd
Collins (MI)	Kreidler	Skaggs
Condit	LaFalce	Skelton
Conyers	Lambert	Slaughter
Coppersmith	Lancaster	Smith (IA)
Costello	LaRocco	Spratt
Cox	Laughlin	Stark
Coyne	Lehman	Stokes
Cunningham	Levin	Strickland
Danner	Lewis (GA)	Studds
Darden	Lipinski	Stupak
de la Garza	Lloyd	Swift
Deal	Lowey	Synar
DeFazio	Maloney	Tauzin
DeLauro	Mann	Tejeda
Dellums	Manton	Thompson
Derrick	Margolies-	Thornton
Deutsch	Mezvinsky	Thurman
Diaz-Balart	Markey	Torkildsen
Dicks	Martinez	Torres
Dingell	Matsui	Torricelli
Dixon	Mazzoli	Towns
Dooley	McCloskey	Trafcant
Durbin	McCurdy	Tucker
Edwards (CA)	McDermott	Unsoeld
Ehlers	McHale	Valentine
Engel	McKinney	Velazquez
English	McMillan	Vento
Eshoo	McNulty	Visclosky
Evans	Meehan	Volkmer
Farr	Meek	Walsh
Fazio	Menendez	Waters
Fields (LA)	Mfume	Watt
Filner	Miller (CA)	Waxman
Fingerhut	Mineta	Weldon
Flake	Mink	Wheat
Foglietta	Moakley	Whitten
Ford (MI)	Mollohan	Williams
Frank (MA)	Montgomery	Wilson
Frost	Morella	Wise
Furse	Murphy	Wolf
Gejdenson	Murtha	Woolsey
Gephardt	Nadler	Wyden
Gibbons	Neal (MA)	Wynn
Gilchrest	Neal (NC)	Yates

## NOES—168

Allard	Bachus (AL)	Barca
Archer	Baker (LA)	Barca
Armey	Ballenger	Barrett (NE)



Bartlett	Hansen	Parker
Bateman	Hastert	Paxon
Bentley	Hefley	Penny
Billrakis	Herger	Peterson (MN)
Blute	Hoekstra	Petri
Boehner	Hoke	Pickett
Bonilla	Hunter	Pombo
Brewster	Hutchinson	Portman
Bunning	Hyde	Pryce (OH)
Burton	Inglis	Quillen
Buyer	Inhofe	Quinn
Callahan	Istook	Ramstad
Calvert	Jacobs	Ridge
Camp	Johnson (CT)	Roberts
Canady	Johnson, Sam	Rogers
Castle	Kanjorski	Rohrabacher
Chapman	Kaptur	Ros-Lehtinen
Coble	Kasich	Roth
Collins (GA)	King	Royce
Combest	Kingston	Santorum
Cramer	Klug	Sarpallus
Crane	Knollenberg	Saxton
Crapo	Kyl	Schaefer
DeLay	Lazio	Schiff
Dickey	Leach	Schroeder
Doolittle	Levy	Sensenbrenner
Dorman	Lewis (CA)	Shays
Dreier	Lewis (FL)	Shuster
Duncan	Lewis (KY)	Skeen
Dunn	Lightfoot	Smith (MI)
Edwards (TX)	Linder	Smith (NJ)
Emerson	Long	Smith (OR)
Everett	Lucas	Smith (TX)
Ewing	Machtley	Snowe
Fawell	Manzullo	Solomon
Fields (TX)	McCandless	Spence
Fish	McCollum	Stearns
Fowler	McCrery	Stenholm
Franks (CT)	McHugh	Stump
Franks (NJ)	McInnis	Swett
Galleghy	McKeon	Talent
Gekas	Meyers	Tanner
Geren	Mica	Taylor (MS)
Gingrich	Michel	Taylor (NC)
Goodlatte	Miller (FL)	Thomas (CA)
Goodling	Minge	Thomas (WY)
Goss	Molinar	Upton
Grams	Moorhead	Vucanovich
Grandy	Myers	Walker
Greenwood	Nussle	Young (AK)
Gunderson	Orton	Young (FL)
Hall (TX)	Oxley	Zeliff
Hancock	Packard	Zimmer

## NOT VOTING—21

Barton	Hall (OH)	Owens
Billey	Houghton	Reynolds
Clement	Klein	Rose
Collins (IL)	Lantos	Siskis
Cooper	Livingston	Slattery
Ford (TN)	McDade	Sundquist
Gallo	Moran	Washington

□ 1815

The Clerk announced the following pair:

On this vote:

Mrs. Collins of Illinois for, with Mr. Barton against.

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous matter, on H.R. 3433, the bill just passed.

The SPEAKER pro tempore (Mr. McNULTY). Is there objection to the request of the gentleman from Minnesota?

There was no objection.

## REMOVAL OF NAME OF MEMBERS AS COSPONSOR OF H.R. 3222

Mr. GORDON. Mr. Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor of H.R. 3222.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

## LEGISLATIVE CALENDAR

(Mr. WALKER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALKER. Mr. Speaker, I take this time for the purpose of inquiring of the Chair whether or not we have any idea what the program might be for tomorrow and the balance of the week. I am trying to ascertain whether or not the Chair can inform the House what we are going to be doing tomorrow, you know, how long the Members might expect to be in town tomorrow, whether or not this session is going to extend into the weekend, whether or not Members might be expected to cancel schedules for early next week.

Mr. Speaker, there are an awful lot of questions floating around the floor and many, many rumors to go with those questions. It would be extremely helpful at this point to at least have some idea where we might be tomorrow.

Mr. FOLEY. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I would be pleased to yield to the distinguished Speaker, the gentleman from Washington [Mr. FOLEY], so that he might update the House a bit in that regard.

Mr. FOLEY. Mr. Speaker, I will say to the gentleman that, in the absence of the majority leader, who is off the floor for a moment, we intend to be in communication with the gentleman's leadership tonight on the schedule. We are meeting tomorrow. The House will be in session tomorrow.

We hope that we can conclude the pending business of the House, which is the consideration of the crime legislation, perhaps if not late tomorrow night, on Saturday. But we are going to be in discussion with the gentleman's Members about that and about how we can best effectuate the most expeditious way to proceed in a way that provides the Members with the ability to have some plans for what will happen next week.

Mr. WALKER. I thank the Speaker for that because the real issue is there are a number of rumors running around that we might quit as of tomorrow, we might come back next week, and Members are trying to figure out whether or not to hold the weekend open or whether or not to begin to open up their schedule next week.

Mr. FOLEY. At this juncture the only thing I can tell the gentleman is that we will be in session tomorrow

and we intend to communicate with the gentleman's leadership tonight and tomorrow as well. We will have some additional information for Members early tomorrow.

Mr. WALKER. But the feeling is at this time if we did stretch it, it would probably go into the weekend rather than next week?

Mr. FOLEY. I would not rule that out. It depends, to some degree, again, on the recommendations made by the gentleman's side as to how they feel it best to proceed as well. We intend to have very cooperative consultation on that question for the mutual advantage of Members on both sides. We understand the concern of Members with respect to planning for this weekend and what might happen next week.

We want to give Members the maximum opportunity to know, as best we can, how to plan their affairs.

Mr. WALKER. My assumption is that we will proceed with the hydrogen fusion bill tomorrow, is that right? That was scheduled for tomorrow.

Mr. FOLEY. The gentleman is correct.

Mr. WALKER. And that we would do that tomorrow. As ranking member on that committee, it does appear as though that would be a relatively non-controversial bill that would move fairly quickly at this point, so that that probably will not take a lot of Members' time if that proceeds forward. And we would then, as I gather, hope that by that point we will be able to take up the crime bill, is that it?

Mr. FOLEY. Well, I cannot promise the gentleman exactly when the crime bill will be taken up. But I certainly will say that we will have a better idea tomorrow when we are in session and advise the Members on the schedule for the remainder of the week and/or the possibility as to whatever might happen next week.

Mr. WALKER. I thank the Speaker, and I thank the Chair.

## AMERICANS WANT PUNISHMENT FOR CRIMES, NOT MORE SOCIAL PROGRAMS

(Mr. COX asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. COX. Mr. Speaker, for the last 30 years America has lived through a prolonged failed liberal social experiment that has explained away and justified criminal behavior; indeed, subsidized it with ever more Federal programs. Like the war on poverty, the Great Society war on crime has failed.

These words contain mistaken premises: First, insufficient federally mandated welfare is the cause of crime; second, more welfare would reduce crime; third, more Federal programs will reduce crime.

In California where I come from, we have nearly 400 convicted murderers on

death row. They are awaiting their executions and have been for decades. We have not executed but one convicted murderer since the 1960's.

The American people want swift, certain, and severe punishment for crimes, and by the way, they want that punishment to be accomplished as inexpensively as possible. Instead, this crime bill takes \$9 billion away from working families through taxes, it takes \$9 billion that could have been used to actually punish crimes and deter them in that fashion, and spends it on things like midnight basketball.

We have heard some defense for it. Let me explain why midnight basketball was fine point of light when it was a locally organized program, but why it will not work when it is a new Federal social program.

Mr. Speaker, it is clear: Midnight basketball is about to become the next victim of Federal regulation.

Mr. Speaker, I will include for the RECORD the following information:

#### SUBTITLE F—MIDNIGHT SPORTS

The Secretary of Housing and Urban Development, in consultation with the Attorney General of the United States, the Secretary of Labor, and the Secretary of Education, shall make grants, to the extent that amounts are approved in appropriations under subsection (k) to the following entities:

(A) Entities eligible under section 520(b) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 11903a(b)) for a grant under section 520(a) of that Act.

(B) Nonprofit organizations providing crime prevention, employment counseling, job training, or other educational services.

(C) Nonprofit organizations providing federally assisted low-income housing.

Any eligible entity that receives a grant under subsection (a) may use the grant only—

(1) to establish or carry out a midnight sports league program under subsection (d);

(2) for salaries for administrators and staff of the program;

(3) for other administrative costs of the program, except that not more than 5 percent of the grant may be used for such administrative costs; and

(4) for costs of training and assistance provided under subsection (d).

Each eligible entity receiving a grant under subsection (a) shall establish a midnight sports league program as follows:

(1) The program shall establish a sports league of not less than 80 players.

(2) Not less than 50 percent of the players in the sports league shall be residents of federally assisted low-income housing.

(3) The program shall be designed to serve primarily youths and young adults from a neighborhood or community whose population has not less than 2 of the following characteristics (in comparison with national averages):

(a) A substantial problem regarding use or sale of illegal drugs.

(c) A high incidence of persons infected with HIV or sexually transmitted disease.

Mr. Speaker, It is clear: Midnight basketball is about to become the next victim of Federal regulation.

□ 1820

#### SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. THURMAN). Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

#### WE HAVE GOT TO GET TOUGH WITH FIDEL CASTRO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. Goss] is recognized for 5 minutes.

Mr. GOSS. Madam Speaker, we are coming along from Florida, and we discover another crisis today having to do with refugees. Today it is not Haitians. It is Cubans. The Florida delegation is of very much the same mind on what the problem is, and we agree very much on two things. The problem is Fidel Castro, and the people of Florida cannot solve the problem alone, nor can they afford to pay the bill of solving the problem, nor can they afford to pay the single-handed bill of taking care of all of the people who are now being allowed unconscionably to come across the Florida Straits in inadequate boats, life rafts, rafts and other devices, basically trying to get to the magnet that is offshore, the life saving of the Coast Guard, or the American Navy, or any ship that is out there to get them out of the clutches of Fidel Castro's Cuba.

Of course there is a magnet. Things are very terrible in Cuba, and of course we need to do something about that. But I do not think that it is a reasonable proposition to encourage people to go to sea in boats that we know are going to sink or might not make it, where lives are not only going to be lost, they have been lost tragically, and more lives inevitably will be lost if this keeps up.

Why has this suddenly become serious? This is nothing new. People have been hearing about this for a long time.

Not so. There is a new policy by Fidel Castro. It is basically to let people go and, in fact, to sort of encourage people to go to sea in these unsafe conditions in the idea that he is going to make a problem for the United States of America, another Fidel Castro tactic.

Fidel Castro is not our friend. He has never been our friend. He is our avowed enemy. He is a Marxist, and maybe not a Marxist of the European style, maybe more a Marxist of the Latin style, but nonetheless he is an avowed enemy of the United States of America who has pledged to do his best to do us all in. Now that he no longer has the muscle of his Soviet Union friends and their client states, obviously his threats are not as serious, but he is still the

avowed enemy of the United States willing to make mischief and trouble for us wherever he can, even to the extent of victimizing Cubans to make his point. That is unconscionable, and it is probably the essence of human rights violations.

Is this serious? You bet it is serious. We picked up 574 Cubans escaping yesterday. They have, of course, come to Florida. Governor Chiles, and this is many days in a row going on, and it is accumulating so we are now dealing with thousands of people I understand. Governor Chiles has declared an immigration emergency. The Members of the Florida delegation have asked President Clinton to implement the Federal mass immigration emergency plan. This plan has never been tested. Now is the time we need to test it because we know we have got thousands of Cubans fleeing, on the move, more to come, and inevitably this is a crisis that is escalating, not going away, and, if you remember Haiti, it is sort of *deja vu* all over again.

We have created this magnet for people to come off shore because they think, if they can just get outside these territorial waters, we will pick them up and bring them to a life of well-being and prosperity in Miami. Unfortunately it does not quite work that way, and that is why the administration needs to get serious and have a plan that works a whole lot better than what they did in Haiti—I guess I should say what they did not do in Haiti which led to a serious crisis there with refugees, and now, interestingly enough, has left a refugee camp on Guantanamo which is nothing more than a tent city of some 16,000 people where they have had not one, but two, riots in the past few days because conditions are so bad, and just as an unnecessary, unwanted wrinkle, we have got a hurricane bearing down, coming across the Atlantic. You can imagine what that is going to do to a tent city of 16,000 people in Guantanamo Bay, to say nothing of those ships that we have, our Navy ships, our amphibious assault ships loaded with Marines, rattling the sabre, flying the flag off of the shores of Haiti, which has been a friendly neighboring country, or to say nothing of what that hurricane might do to our other ships in the Florida Straits who are now out there on patrol duty.

So, we have got a series of problems on our hands, and I think it is time the administration got serious about dealing with this thing.

The first point is the problem of Fidel Castro. This is not a problem of dealing with Cuban people. It is a problem of Fidel Castro. He is the enemy. The leaders of Haiti are not our enemies in the sense that they have decided war or mischief on the United States. Yes, they violated democratic principles, and, yes, they brutalized human rights, but Fidel Castro makes



them look pretty much like kindergarten compared to what he has done.

We have got to get tough with Castro, we have got to have sanctions, and we have got to focus on that problem, and the administration needs to do it now.

#### HEALTH CARE QUOTES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee [Mr. DUNCAN] is recognized for 5 minutes.

Mr. DUNCAN. Madam Speaker, one of our larger daily newspapers, and in fact a Democratic paper, said it all at the top of its front page this past Sunday.

The headline said: "Health Bill Hides Big Pricetag."

The sub-headline read: "Middle-class takes the hit in all plans."

Later in the story—but unfortunately not until page A-8, where many people would not read them, were these words:

Whatever is chosen, the pain is likely to wind up hitting the pocketbooks of average working families earning \$25,000 to \$40,000 a year: Whether they pay the bills as workers, taxpayers or consumers, they are footing most of the costs of health reform.

The middle-class pays no matter what.

Another important thing to remember: Employer mandates really mean higher prices or job layoffs, or both.

Sometimes, I think that some people hear about opposition to employer mandates and they think that person is siding with big business.

Not true—employer mandates are most harmful to small business and simply result in higher prices and/or job layoffs.

Time Magazine reported several months ago that the administration itself has an internal report that estimates their plan could cost as much as a million jobs lost over the next 5 years.

No matter how good something may sound on the surface, if its going to result in a million jobs lost, this Congress should not pass it.

Also, no matter how good something may sound on the surface, we should not pass it unless we can afford it.

This sounds like simple common sense—yet this Congress has passed all kinds of things we could not afford in recent years.

This is why our Federal Government is over \$4½ trillion in debt and losing hundreds of millions on top of that every day, even as I speak.

I wish the Federal Government could afford to buy everybody a \$200,000 house and a fancy new car each year, but it cannot.

There are limits to what government can do, and there is no way we can afford the most expensive social programs ever when we are already spending many billions each year more than we take in.

We cannot even afford to do what we are already doing, much less adding new programs every week.

Already our health care costs almost three times more as a percentage of our gross national product than it did before the Federal Government got involved in our health care system in a big way a little over 30 years ago.

Now, if we pass the Gephardt bill, or some version thereof, costs will go way up from where they are now.

In last Friday's Washington Post, Charles Krauthammer, a very moderate columnist, wrote this:

It was clear and much remarked that expanding coverage to 37 million Americans now uninsured, by increasing demand, would substantially raise health care costs.

Later in the same column, he wrote this:

In the end, there is no way out of the dilemma: Both extending health care coverage and improving health care quality will increase health care costs. We must pay for that cost by pushing yet health care's share of GDP.

Or we must ration. No one, of course, dares speak the word. There is not a politician who does not recoil from it. But after this debate—if it produces any bill, costs will increase—we will have the rationing debate. Having boosted medical costs even beyond the bank-breaking level of today, we will have to begin deciding which people with which diseases at which ages will be denied the public provision of which medical producers.

Then Mr. Krauthammer noted that in Britain, if your kidneys fail and you are over 55, you are routinely denied life-saving dialysis, among other things. And he says: "Others have done it . . . and so will we."

But I say, why? Sure, we have problems with our health care—mainly that it costs way too much.

But it costs too much because of too much government involvement already—not too little.

When has the Federal Government ever done anything more cheaply or more efficiently than the private sector?

George Will, in his column on Monday, quoted Senator ROCKEFELLER who told a newspaper in West Virginia that "We're going to push through health care reform regardless of the views of the American people."

This is the same Senator ROCKEFELLER who was quoted in the Washington Post a few months ago as saying that Medicaid, another Federal medical program, was "a horrible program, a vile program, and it ought to be abolished."

Then, George Will summarized our current situation in this way:

Many Democrats profess to believe that they must pass something, anything, lest they face punishment at the polls. But Clinton and the diminishing cohort of Democrats willing to be associated closely with him really want to force health care legislation now for the same reason Clinton does not want to seek congressional approval for any invasion of Haiti: He and his allies are struggling to govern against the American grain.

#### RATIONING—JUST WAIT

(By Charles Krauthammer)

Ever since the Clinton health care reform was unveiled 11 months and a dozen plans ago, it has been dogged by an obvious contradiction: It promised both universal coverage and control of exploding health care costs, now 14 percent of American gross domestic product. It was clear and much remarked that expanding coverage to 37 million Americans now uninsured, by increasing demand, would substantially raise health care costs.

More care means more cost. That is obvious. But there is another, less obvious and quite perverse contradiction buried at the heart of the health care debate: Better care makes for more cost too. The ordinary progress of modern medicine—quite apart from the cost of high-tech machines and tests and procedures—makes health care more and more of a fiscal drain.

"It is often difficult for lay people to appreciate that good medicine does not reduce the percentage of people with illnesses," writes physician-philosopher Willard Gaylin in a brilliant critique of the health care debate (Harper's, October 1993). "It increases that percentage." Good medicine keeps sick people alive, people with heart disease, diabetes, hypertension and other chronic diseases. And sick people are expensive. The dead are a burden to no one.

Even preventive medicine, that sacred health care cow, increases costs, points out Gaylin. Diphtheria and whooping cough, once the two leading causes of childhood death, have ceased to exist. "But they were rarely expensive. The child either lived or died, and, for the most part, did so quickly and cheaply." Now that child "will grow up to be a very expensive old man or woman."

Because of these hard truths, the great health care debate of '94 will turn out to have been both preliminary and peripheral. Consider: Among the welter of disagreements now highlighted in the Senate debate, there is a clear national consensus for some reforms. Even the Dole plan mandates that health care insurance be portable (you retain it when you change jobs) and accessible (you cannot be denied it for a pre-existing condition).

Inevitably, however, such guarantees must increase health care costs. If the currently screened or dropped out are to be included and cared for, someone will have to pay for their care. There is no free lunch. Either insurance premiums go up, taxes go up or business pays through "employer mandates."

In the end, there is no way out of the dilemma: Both extending health care coverage and improving health care quality will increase health care costs. We must pay for that cost by pushing yet higher health care's share of GDP.

Or we must ration. No one, of course, dares speak the word. There is not a politician who does not recoil from it. But after this debate—if it produces any bill, costs will increase—we will have the retaining debate. Having boosted medical costs even beyond the bank-breaking level of today, we will have to begin deciding which people with which diseases at which ages will be denied the public provision of which medical producers.

Others have done it, and so will we. In Britain, if your kidneys fail and you are over 55, you are routinely denied life saving dialysis by the National Health Service. If you cannot afford private insurance or the out-of-pocket expense, chances are you die.

Even the Clinton plan had some rationing, though it had to be kept covert. It would, for example, have severely restricted the number of medical specialists. This is indirect rationing. If you reduce by, say, one-third the number of people who can do brain surgery, then many people who need it and would now get it will not be able to.

The Clintons defended that measure, tellingly, not as rationing but as an effort to promote currently fashionable primary care over "specialization." No one is ready to talk now about rationing. That talk is too unpleasant, the tone too pinched, the vision too Carteresque.

Instead, the politicians are holding a picnic and giving away the food. The Democrats are offering "health care that cannot be taken away," a new fundamental right of, literally, untold cost. Even the limited Republican reforms would subsidize health care for more than 35 million Americans.

That costs money. Where do we get it? Gaylin is right: When this round is over and we are quite through giving away what we cannot afford, the real health care debate, the debate about rationing, will have to begin. And if, like Hillary Clinton, you think Round 1 was nasty, just wait for Round 2.

**DUG IN TO FIGHT RADICAL EXPANSION OF  
GOVERNMENT INTO HEALTH CARE**  
(By George Will)

WASHINGTON.—George Mitchell, master of the Senate's health-care revels, spoke in a voice mingling reproach and regret. Republicans, he said have been violating the democratic spirit by filibustering promiscuously.

The next day, Texas Republican Phil Gramm and Alabama Democrat Richard Shelby promised to oppose, like Horatius at the bridge, and with a filibuster if necessary, any radical expansion of government control of health care.

So, within the health-care debate there is a debate about the ethics of obstructing. The latter debate illuminates the former by revealing the political weakness that is dictating the Democrats' desperate dash to pass a radical program before the November elections register the public's desires.

The idea that filibusters have become a serious problem is preposterous. Can anyone name anything of significance that an American majority has desired, strongly and protractedly, but has not received because of a filibuster? Who believes that insufficient activity is a defect of modern government?

It takes 60 votes to end a filibuster. Newsweek's entirely plausible poll shows 65 percent of Americans wanting Congress to delay health-care reform until next year. So Democrats sound strange when they say that it is an offense against majority rule to make them get 60 votes before they can override the wishes of 65 percent of the public.

Mitchell says that, in the 19th century, "there were only 16 filibusters" and "for three-fourths of this century, there were fewer than one filibuster a year." And: "In this Congress alone, I have had to file motions to end filibusters 55 times." But Mitchell's numbers about filibusters, like his numbers about health care, are misleading.

In the 19th century, before there was a cloture process for curtailing Senate Debates (before 1917), the mere hint of a filibuster often sufficed to kill a bill. And Mitchell files cloture motions promiscuously, often merely in anticipation of a slight possibility of delaying tactics.

Filibusters, although important in protecting minority rights and indispensable in registering intensity as distinct from mere numbers in controversies, can be trivialized when used against mild policy proposals. The filibuster Mitchell orchestrated against President Bush's proposal to cut capital gains taxes was trivializing.

However, Mitchell's 1,400-page health-care bill is not mild. It would produce a more sweeping and intrusive expansion of government than has been produced by any permanent measure in American history. Clearly, Mitchell's bill involves large issues of freedom, privacy and prudence. So a filibuster is a reasonable, proportionate recourse for opponents.

They believe, reasonably, that Mitchell's bill would be literally lethal as law. For ex-

ample, by slowing development of new pharmacological and other technologies, it would disrupt the pain-relieving, life-prolonging therapeutic revolution that America's health-care system has produced in our lifetimes.

Many Democrats profess to believe that they must pass something, anything, lest they face punishment at the polls. But Clinton and the diminishing cohort of Democrats willing to be associated closely with him really want to force health-care legislation now for the same reason Clinton does not want to seek congressional approval for any invasion of Haiti: He and his allies are struggling to govern against the American grain.

Recently William Kristol, a Republican strategist, discerned "the opportunity to turn the health-care debate into liberalism's Afghanistan—the over-reaching that exposes liberalism's weaknesses and causes its collapse." And the debate has indeed high-lighted the spirit of modern liberalism, as when Democratic Sen. John Rockefeller IV of West Virginia, with a hauteur that would have made his great-grandfather proud, said, "We're going to push through health-care reform regardless of the views of the American people."

The liberals' strategy is to pass bills—almost any bills will do—in both houses, then go to conference and write a third bill as liberal as they can make it and still win final passage in both houses. By then, Democrats will be eager to pass something and go home to campaign, so a bill more liberal than even Mitchell's might pass.

A conference report cannot be amended. It would have to be physically filibustered—stopped with nonstop talking, rather than with the scores of amendments that many Republicans and some Democrats will propose in the next few weeks in order to illuminate the myriad perversities lurking in Mitchell's bill.

Any filibuster will cast a Senate minority in the role of defenders of the desires of a large American majority. Filibusterers will risk being accused of "obstructionism"—obstructing the largest peacetime expansion of Government in history.

That is a risk they should relish running.

**PERMISSION TO UTILIZE SPECIAL  
ORDER TIME OF ANOTHER MEM-  
BER**

Mr. WAXMAN. Madam Speaker, I ask unanimous consent to exchange time with the gentlewoman from Hawaii [Mrs. MINK].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

□ 1830

**THE GUARANTEED HEALTH  
INSURANCE ACT OF 1994**

The SPEAKER pro tempore (Mrs. THURMAN). Under a previous order of the House, the gentleman from California [Mr. WAXMAN] is recognized for 5 minutes.

Mr. WAXMAN. Madam Speaker, I'm proud to have this opportunity to speak on behalf of the health reform legislation submitted by the majority leader—and its vital importance to the

Nation's children. We owe Mr. GEPHARDT a great debt for his leadership in bringing this bill before the House.

We are at a critical turning point. We can choose to continue down the same path we've been on: More Americans will lose their health insurance. Health care costs will escalate. Health programs for children, the elderly, and the poor will be cut back more and more. And providers will continue to shift their losses from caring for uninsured and vulnerable people onto their private patients and their employers.

That is basically the direction the Republican and bipartisan proposals will take us.

Or, we can decide to end our national embarrassment and guarantee every American coverage for basic health care. That's the path the majority leader believes the country should take, and I vigorously agree with him.

This is a particularly important point for the Nation's families and for the Nation's children. Almost 39 million Americans are uninsured. Eight million of them are children.

Think of that—in a country as rich as ours, 8 million children without insurance. And most of them are the children of working parents, because the sad fact is that most Americans who are uninsured work.

The Gephardt bill has put together a basic benefits package for all children, services that every child in America should be guaranteed to ensure their best chance at a healthy future: prenatal care, well-baby care, immunizations, lead screening, infectious disease screening, and the regular checkups that are needed for every growing child.

And, in addition to this package of screening and preventive services, the Gephardt bill also provides ongoing coverage and special services for children with chronic illnesses and disabilities.

Earlier this year, the Cacho family from Berkeley, CA—Ann and Bernard and their 8-year-old son Philip with cerebral palsy—testified before my subcommittee.

Their struggles to get real health care to raise their son at home with dignity are unforgettable. They told of not only fighting the disease that was disabling their child but also fighting the very system that was supposed to help them. They told of insurance premiums that rose from \$3,000 a year to over \$10,000. They described the limitations of the insurance that they could buy even at that price. And they told of the ongoing effort to get their child the care that everyone agreed that he needs.

Their testimony was compelling. Everyone who attended the hearing was moved by their story. I told them we would work to make their future secure. Mr. GEPHARDT has put together a bill that does that for the Cacho's and



for all American children and their families, both those with special needs and disabilities and those who simply need the routine care that all children deserve.

The Gephardt bill assures that most Americans who now have insurance coverage through their jobs will be able to keep that coverage. Health insurance paid for by employer and worker contributions is the way most Americans get coverage today, and the Gephardt bill builds on these arrangements. That's the most practical and direct way to achieve universal coverage. And we owe our children that coverage.

In closing, I just want to ask the opponents of the Gephardt bill to answer one question for me. As you argue for incremental approaches, as you settle for less than universal coverage, as you plan to go slower and slower—

Which children do you want to leave uncovered?

Which of the newborns do you want to leave without screening?

Which of the children with cerebral palsy do you want to leave without home care?

Which of the next generation do not deserve our help?

The only honest answer to that question from any Member of Congress should be none "None." And the only real way to reach that goal is the Gephardt bill.

I thank my colleagues.

□ 1840

#### WHO IS GOING TO RUN THE HEALTH CARE SYSTEM?

The SPEAKER pro tempore (Mrs. THURMAN). Under a previous order of the House, the gentleman from Michigan [Mr. EHLERS] is recognized for 5 minutes.

Mr. EHLERS. Madam Speaker, the previous speaker spoke about the desire for health care on a national level.

Frankly, his desire is shared by many in this Chamber on both sides of the aisle. I suspect that is not the real issue.

I think the real issues before us are, who is going to run the health care system and who is going to pay the bill. And it is the first one of those questions which I would like to address this evening. Who is going to run the health care system.

Because, you see, the proposals submitted by the administration and most of the bills that we have had presented in this House and in the Senate have assumed that the Federal Government will have a major role in running the health care system. I think that is going to be a problem.

I have in my hands this evening a document furnished me by a physician in my district. Notice the size of this. And this document was prepared in re-

sponse to a survey, a request, a questionnaire by the Health Care Financing Administration, asking this physician and his colleagues to fill out this document, to let the Federal Government know what they were doing in their office. They were supposedly randomly selected. They were told they did not have to fill it out. But it was implied that if they did not, they might lose the Medicaid approval for their particular facility.

That certainly is a strong arm approach to ensuring that they better fill it out. It took them over 120 hours of staff time. They had to work some weekends to get it done on time. They were given very little time. They estimated it cost them \$10,000 in total to complete this survey form.

When you look at the survey and you look at some of the issues that were dealt with, they had to, as an example, list all the supplies that were used in the various procedures done in that office. When you look at the things they had to list, they had to include disposable supplies, such as a tonopen tip cover for 25 cents; a terno probe cover, 3 cents; chart forms at 11 cents each; gonio lens at 22 cents. They had to list pharmaceuticals. And in this case they used A-K Dilate, two drops, they estimated approximately 10 cents for that; Alcaine, 3 drops, at about 12 cents. And then on to head covers at 6 cents, shoe covers at 15 cents a pair, masks at 30 cents, surgeons gloves at 48 cents and on and on.

I really wonder if this makes economic sense for a Federal agency to be requiring physicians to fill out forms in such great detail, with such minutiae. What is going to be done with that information? I hope something useful, but I would not be too sure of that.

What is even worse is the information that was not asked for. Presumably this is being done to determine what the costs were for providing health care and trying to get a handle on this so that perhaps health care costs could be reduced. But, for example, they did not include information about whether or not the facility, cost of the facility was amortized or not. So these physicians, who have a relatively new facility and are still paying it off, are put in the same bag as other facilities which have their property totally paid off and depreciated. No differentiation was made on that score.

That is a very important piece of information that should be included. The reason I bring this here and the reason I discuss this issue is getting at the question, who is going to run the health care system. My concern about a number of the proposals that have been proposed have nothing to do with universal access, which I think we should all have. They have nothing to do with dealing with preexisting conditions, which I think we should ensure are covered by all insurance plans.

The issue of who is running the system, I think, is crucial, because if we have a Federal Government running the system, it is going to involve more and more and more of this.

I believe we have to stay with the type of system we have. We have to, in the legislation we develop, ensure that we continue to have an efficient, well-operating health care system that provides good service, as the current system does, and makes sure that it is available to everyone. That should be our goal.

#### HEALTH CARE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. SAXTON] is recognized for 5 minutes.

Mr. SAXTON. Madam Speaker, I, too, would like to talk for just a few minutes about health care reform and the health care system that we have and what is good about it and perhaps what is not good about it.

And I would like to particularly point out to my friends from the other side of the aisle that there is a great deal of good that we have done, and I know we all can agree on this in our current health care system. Very few people complain about the capabilities that we have, very few people complain about the modern facilities and the great technology that we have been able to develop in our country. We have developed it through the free enterprise system and the system that we know as our current immediate care system, medical care system.

But not everything is good about our medical care system. I would like to suggest to my friends that it is really the economics of medical care that do not work and the economics of medical care that need attention and the economics of medical care that need to be fixed.

That is what needs attention. The big question for me is, how do we fix the economics of medical care without disrupting the great medical care system that we currently have. We can cure diseases that we could not cure not long ago. We keep people in hospitals less time for various procedures than we did not long ago. Doctors are more skilled today than they were not long ago. The same goes for other medical providers.

I have traveled a little bit around the world in places where they have different types of systems. I would much prefer to take part as a patient in our system than anywhere else in the world that I can think of. But you are right about one thing: The economics of medical care is not working the way it should.

Our country, as we all have said over and over again, has been successful economically because we have a free enterprise system. As a matter of fact,

85 percent of our economic system, our free enterprise system, works quite well. It is the 15 percent of our economic system that is involved with medical care that does not work very well. So the real question is, what can we do with that 15 percent of our economy that does not work like it should and why is it that it does not work the way we would like it to?

If we look at the activities that take place in our economic system generally, we can begin to get a pretty good idea about what makes us work. We manufacture goods and we provide services throughout our economy, we have activities that involve buying and selling of goods and services throughout our economy. That all works. We have marketing programs and advertising programs for goods and services, and that all works. And that is all part of our free enterprise system. And health care fits within those types of activities as well.

Implicit in all those activities, manufacturing, buying, selling, marketing, advertising, and all the other economic activities that we take place in, competition is implicit in all of those things that work in the 85 percent of our economy that work, competition is implicit in all of those activities.

When we as American business entrepreneurs begin to look at how to make a business successful, we look at locations for our businesses, because it is important in competition to have the right location. We look at the aesthetics of our plan, particularly retail stores, because it is important to attract customers, and that is part of competition.

We have stocks and inventories that are developed. To get the right inventory is important because of competition. And we set prices fairly, we set prices fairly because of competition.

□ 1850

Competition is missing today in health care. It is missing for a very simple reason. Eighty-three percent of our medical bills, yours and mine and all of America's all Americans', is paid by someone other than the consumer. We go to our employers and say "We want to negotiate benefits." That means we want to negotiate how you, Mr. Employer, are going to pay for our health care benefits.

When we retire, we have a Medicare program that pays for our benefits. If we are not wealthy, if we are poor Americans, we have a Medicaid program that pays for our benefits. That is right, 83 percent of the time, of the services that we receive in medical care, 83 percent are paid by somebody else, so we don't have to care.

When we go to the doctors, if the doctor says "You need four tests," we don't ask if two will do or if one will do, because 83 percent of the time we don't have to care. Somebody else pays for it.

If the doctor says "This is going to take six visits," we don't have to ask "Can't you do it in three?" because 83 percent of the time somebody else is going to pay for it.

If the doctor says "You need to go to the hospital for a procedure," we don't have to ask "Can't we do this as an outpatient?" because 83 percent of the time somebody else pays for it.

There are some ways that we can restore competition to our health care system through a variety of programs which will be discussed in legislation that I'm going to introduce either before we leave here or in September when we come back.

These will take as their essence principles that are encompassed in two dynamic and creative plans I have studied in my home region. The first is a program already put in to place at Forbes, Inc.; the second is a plan Jersey City Mayor Bret Schundler has enacted for municipal employees. Both plans have built-in incentives for employees to select as good and as much health care as they need.

I enclose the statement Mayor Schundler delivered before the Republican Joint Economic Committee Forum held August 16.

#### HEALTH CARE REFORM TESTIMONY TO THE JOINT ECONOMIC COMMITTEE

I'd like to thank Representative Saxton and all the Republican members of the Joint Economic Committee for inviting me to share my thoughts about health care reform in America. This is an important issue that affects every American, and I believe it is vital that we have a thorough public debate before approving my legislation.

We now have two Democratic proposals before us. The Gephardt bill promises universal coverage by 1999, with employers mandated to pay 80 percent of their employees' health insurance costs. Low income workers would be covered through a huge new entitlement called "Medicare Part C", which the New York Times estimates would soon cover over 100 million Americans. Make no mistake about it, passing the Gephardt bill means turning over the health care needs of every American to the federal bureaucracy. Anyone who lives in public housing knows how frustrating that will be.

The Mitchell bill differs only slightly from the Gephardt bill. If we pass it, we don't get Gephardt's government-run health care system until 2002. Clearly, the fundamental difference between Mitchell and Gephardt is that Mitchell pulls the 'trigger' a few years further into the future. But both bills are guns aimed at the heart of American medicine.

Under no circumstances should Congress pass either bill.

Rather, I propose that Congress should keep what works and reform what does not. President Clinton, Senator Mitchell, and Representative Gephardt believe that our current health care problems arise from market failures, i.e. the failures of a free society. I believe that government failures are the problem. Any health care reform bill should move away from government control and third party payment, and move towards empowering patients to choose their own doctors, make their own decisions, and control their own health care costs.

Just over two weeks ago, President Clinton came into Jersey City to campaign for his version of reform. He challenged his opponents to come up with a constructive alternative to his bureaucratic quagmire. The alternative has already been offered in both the House and Senate, but the President doesn't want to talk about it. It is a system of refundable tax credits to enable Americans to be able to afford to purchase their own combination of catastrophic health insurance and Medical Savings Accounts (MSAs).

In Jersey City, I am working to change how we provide health insurance to our workers. Under the Jersey City plan, the City will purchase catastrophic insurance with a \$2,000 deductible, and then deposit \$2,000 into a Medical Savings Account to cover 100 percent of employees' out-of-pocket medical expenses. This money can be used to cover routine physical examinations, which are not covered under most traditional health care policies, and will improve our employees' access to prevention care. But since our employees will get to keep as income any money not spent in the MSA, they will also have an incentive to spend their health care dollars more prudently.

Through this approach, not only are our employees likely to stay healthier, but they will be able to take some money home on December 31st, and the City will be able to save money too.

Let me expand on this latter point. First, the City will save money because the combined cost of the catastrophic premiums and the MSA deposits already in the first year will be less than its current health care premiums for its present traditional coverage. (This is because there are immediate administrative savings to be achieved since the insurance carrier really does not have to examine bills closely until a family's expenses exceed \$2,000 in a single year.) Second, increased preventative care will make for healthier employees who are a better risk for insurance carriers. Third, there will be reduced cost-shifting when our employees are incentivized to negotiate with their doctors for lower prices and doctors are less like to cost shift onto our employees when they know that our employees will be personally affected by a padded bill. Fourth, because the insured stand to keep money not spent from the MSAs, this plan almost totally eliminates fraudulent claims.

This plan will work for Jersey City employees just as it has worked for employees of Forbes, Inc., where insurance premiums have dipped almost 30 percent in the first two years. Perhaps more importantly, it can work for Americans nationwide.

We can create a federal MSA system by replacing the current system of tax deductions for employer-provided health care with a system of refundable tax credits for individually-purchased insurance and MSA coverage. This would allow every American, regardless of income or employment status, to buy basic health insurance for less than what we spend as a nation right now.

Under this plan, all Americans with an income would use their tax credits to buy a health plan from any carrier they choose, whether through their employer, church, or even their bowling league.

Those who are unemployed or without sufficient income to benefit from a tax credit would receive a voucher to purchase their own health insurance and MSAs in the same way.

Finally, for that 1 percent of Americans whose severe health problems make them



uninsurable, we could establish a very high premium, government subsidized risk pool for basic health coverage.

This simple plan expands access, contains costs, and maintains quality care. Perhaps more importantly, it enhances freedom. It will give Americans the freedom to leave a job without fear of losing their benefits by detaching health insurance from one's employer, thus eliminating the "job lock" so prevalent in our current system. It will free people to get off welfare by eliminating the risk that they will lose medical coverage if they take an entry level job. And it will do all of this without bureaucrats and centralized health boards telling us what treatments shall be covered and when we may get them and from whom.

It seems that there are two broad sides in this debate: those who want government control over the health care decisions of the American people, and those who want we the people to have the power to make the decisions that could mean our life or death. I believe we should empower the people to choose what is best for their own health.

President Clinton deserves credit for starting the debate on health care reform. Now we must ensure that change comes in the proper form.

The President claims it is the moral obligation of government to make sure that every American can obtain affordable health care. I totally agree. But then the President passes the buck. He says to businesses, "You do it!"

His approach takes as its foundation every thing that is wrong with the current health care system and builds upon it. The result of his approach will be to increase costs, decrease quality, and very significantly increase unemployment—all serving no interest save for one: that is, expanding opportunities for government bureaucrats.

My proposal will decrease costs, increase quality, and expand private sector job creation and acceptance. But through the tax credits or vouchers expended, and through the replacement of Medicare and Medicaid with self-purchased private insurance, it will surely reduce government jobs in the federal and state bureaucracies.

Perhaps this is the reason the President refuses to opt for this approach. He seems to have forsaken being the President of the People, and has chosen instead to be the President of Government. In fact, it seems to me that instead of proactively using government to empower all, including the poor, he is choosing to use government to disempower all—including the rich.

I seriously doubt that the America people will stand for this, and I hope that you will do everything in your power to reject it.

Thank you again for giving me the opportunity to address the members of this committee, and I ask permission to enter a prepared statement of my remarks and my Wall Street Journal article concerning this subject matter into the written record.

BRET SCHUNDLER,  
Mayor, Jersey City, NJ.

#### HEALTH CARE REFORM FOR AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut [Ms. DELAULO] is recognized for 5 minutes.

Ms. DELAULO. Madam Speaker, before I make the comments that I was going to this evening, I would like to

make a couple of comments about my colleague who just spoke before I came up to the well.

I agree with my colleague that the United States has the best health care in the world. It is the reason why so many people come from all over the world to avail themselves of the medical care that we have here.

I further agree that the issue is cost, and that in fact, while we have the best medical care in the world, many people today in this Nation cannot avail themselves of that health care because of the cost of that health care.

I further agree that what we need to do is to address this issue of cost, and in fact the Gephardt plan does that very, very well, and helps to look at bringing that cost down by making sure that all Americans are covered, that all Americans have private, guaranteed health insurance that is affordable and that can never be taken away from them.

Part of the Gephardt plan is to make sure that, because all are covered, and we have what is known in this effort as cost shifting, that someone else pays the bill for those who are not now covered, and most of those folks who are now not covered are working Americans, working, and in my State of Connecticut they work in small businesses of less than 25 people and do not have insurance coverage.

If we were able to cover all of those people through the shared responsibility, as our current system is today, where the employer pays a portion, the employee pays a portion, 9 out of 10 people who are insured today in this Nation receive their health care coverage through their place of employment. The Gephardt plan builds on that system, and says that employers and employees who are now not participating in this shared responsibility need to do that, in fact, to help pay for the cost of health care which today, while they are not paying for it, everyone else is paying for them.

Madam Speaker, I want to agree with my colleague on some of these issues, and say that the way in which we can correct this is a piece of legislation that the majority leader of this House, the gentleman from Missouri, DICK GEPHARDT, has put together, and that we ought to come together and support that for the American public.

Madam Speaker, let me move on to the issue that I wanted to discuss today, that has, again, to do with health care.

Madam Speaker, 2 days ago, the other body took the first step in moving the health care reform process forward by adopting an amendment which would make sure that insurance policies offer prenatal care for women and well-baby and immunization services for children. I applaud my colleague from Connecticut, Senator DODD, for his sponsorship of that action, and am

proud to be joined by several of my colleagues here tonight who support comprehensive health care reform that includes guaranteed coverage for children and pregnant women.

In a country as wealthy as ours, with the world's best health care system, it is disgraceful that 17 million American children are uninsured for all or part of the year. In my home State of Connecticut alone, more than 40,000 children are uninsured, 8,000 in my district. During some of the most critical years of a child's development, between birth and their sixth birthday, one out of 10 American children is uninsured.

Of the children that do have health insurance, many are woefully underinsured. Only 42 percent are covered for routine immunizations. Only one-third of health insurance policies provided in medium and large firms cover well-baby care. Millions of children have private insurance that fails to cover preventive services. Millions of children have private insurance that fails to cover special treatment for those with physical and emotional disabilities.

Who are these children left out in the cold by our current health care system? The significant majority of them, 58 percent, are dependents of parents who work full-time, every day of the year. According to the Children's Defense Fund, for two decades, employer cost-cutting and the rising cost of health insurance have forced millions of children out of the private health insurance system. Had coverage for children stayed at even the 1987 rates, an additional 3 million children would have had employer-based insurance in 1992.

And if we do nothing to make sure that every working parent receives health insurance through his or her workplace, this trend will only get worse. By the year 2000, only 50 percent of our children will receive health care through insurance provided by employers.

These figures speak for themselves and should be enough to spur Congress to act. But if all these statistics leave any of our colleagues in doubt, then let them listen to what the children themselves are telling us.

Ian Cook, a 12-year-old boy from Lake Charles, LA, has told us that his mother's health insurance doesn't cover all the costs of the liver screenings he needs every 3 months and his medicine—without which he cannot attend school—that costs \$173 per month.

Jennifer Bush, a 7-year-old girl from Coral Springs, FL, lost her hearing in one ear due to chronic infections. Her insurance company dropped her because her medical bills exceeded \$2 million.

And Asha Thune, an 11-year-old girl from Austin, TX, has juvenile diabetes. Her family is afraid they may lose their insurance as a result.

Madam Speaker, now is the time to correct this intolerable situation. We have made great strides recently in this House to invest more in our children. We have increased funding for Head Start. We have increased funding for WIC. And we are on the verge of enacting a crime bill that will help make our streets safer for our children.

Now let us give our children proper health care—perhaps the most important thing they need to ensure that they grow up healthy and able to learn. Let us give their parents the peace of mind that if their children do get sick they will be taken care of and that their insurance won't be taken away. Let us pass the Gephardt bill which guarantees that every child will get newborn and well-baby services and that every woman will get pre-natal care, all with no cost sharing. We have given enough speeches about our support for children—let us stand and deliver.

#### A TRUE CRIME BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. TAYLOR] is recognized for 5 minutes.

Mr. TAYLOR of North Carolina. Madam Speaker, a surprising thing took place in this Chamber. We passed a crime bill in the Commerce, Justice, and State appropriation bill, 322 to 98. That was a true crime bill.

It is true, this conference report that we passed did not abolish capital punishment, as the President wanted to do in his crime bill. It did not release 16,000 drug pushers from the Federal prisons, as the crime bill desires. It did not abolish mandatory minimum sentences for drug kingpins, as the President's crime bill calls for. It did not weaken the second amendment rights, called for in the present crime bill.

It did, however, restore funding for the Drug Enforcement Agency, which the President had sought to reduce; it provided some 400 new agents, as well as removing 600 agents from desk duty and reassigning them to the field.

It provided funds for activating 11 new or expanding prisons facilities. It provides \$54.5 million for new border patrol guards, providing almost 1,000 new agents in the field. It gives \$24.5 million for boot camps, punishing small-time offenders, while leaving prisons open for violent offenders.

It supports increased drug courts, \$29 million, permitting swifter action against drug offenders. It grants \$26 million to combat violent crime against women, which will support battered women's shelters, promote rape awareness education, and establish a national family hotline service. It restores the Byrne formula grants, and will give States and local governments some \$450 million.

In total, Madam Speaker, this bill provides over \$15 billion for prevention

of crime and the judiciary. It prioritizes the needs. It does not include the President's social spending. It is a real crime bill.

□ 1900

It was put together on a bipartisan basis and passed this House and when it clears the Senate tomorrow and goes to the President, it can be our crime bill.

I would like, Madam Speaker, at this time to yield to the distinguished gentleman from North Carolina [Mr. COBLE] who is a member of the Committee on the Judiciary, for further remarks in this area.

Mr. COBLE. Madam Speaker, I thank the gentleman from North Carolina for yielding. I was scheduled to speak on this bill last Thursday pending passage of the rule. Of course the rule was defeated and this is the first time I have had a chance to address matters concerning the crime bill.

What bothers me, I say to my colleague from North Carolina and to you, Madam Speaker, when it first came to the Senate, to the other body, as best I remember, there was a price tag of \$16 billion. When it cleared the other body and came to us, it was \$21 billion. After it sailed through the House, it reached the figure of \$28 billion. It then was assigned to a conference where, you guessed it, continuing upward, now it is in excess of \$33 billion.

That is not the way it is done in the real world. In the real world, if you have to renovate your home or your small business and you start at \$25,000, you try to work downward. Here on the banks of the Potomac, it works in just the opposite way. The moral of the story, Madam Speaker, is simply this: It is easy to spend money that belongs to others, and we in this Congress do it every day. I am afraid that we do it recklessly and imprudently.

I am concerned, I say to the gentleman from North Carolina, about some of the accusations that have been made directed to those of us who voted against the rule last week, and the accusations have been, "Well, you only voted no just simply to embarrass the President." This is poppycock and ludicrous. I voted no because the meter continued to run.

Now, when you go from \$16 billion to in excess of \$33 billion spending public moneys, spending your constituents' moneys and mine wrapped in the package titled crime bill, something is indeed wrong. I say to the gentleman from North Carolina, I would like to see us prior to adjournment in October to instill and restore, if there ever was any before, some sort of fiscal sanity in the manner in which we spend taxpayers' money on this river and on this Hill. I think our constituents deserve better and I think we owe it to ourselves to do better.

I thank the gentleman from North Carolina, and I yield back to him.

Mr. TAYLOR. Madam Speaker, in closing, I think we see that this costly crime bill, so-called, is kind of like side pockets on a hog as far as its benefit in fighting crime. The bill we passed today is a solid crime-fighting bill and it can be one we can all be proud of for this Nation.

#### CHANGE OF SPECIAL ORDER

Mrs. MINK of Hawaii. Madam Speaker, I ask unanimous consent that I may take the place of the gentleman from California [Mr. WAXMAN].

The SPEAKER pro tempore (Mr. THURMAN). Is there objection to the request of the gentleman from Hawaii? There was no objection.

#### SUPPORT THE CRIME BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Hawaii [Mrs. MINK] is recognized for 5 minutes.

Mrs. MINK of Hawaii. Madam Speaker, today I rise in strong support of the crime bill, and I want to take just a few minutes to elaborate on the reasons why I think it is so urgent that the Congress come to some agreement and allow this bill to become law.

One of the very strong provisions in the bill has to do with violence against women. Sometimes this Nation comes to a point of wanting to do something about a terrible situation in our country when there are acts of violence that commend our attention. This is a time when people are focused on this issue and I think it is important to realize that the Congress for the first time is allocating substantial sums of money, \$1.8 billion, for this particular problem in our society. I like most Members of Congress have received dozens of phone calls. Most of them argue that we should support the crime bill and put it into law. Some of them say what would also echo the phrases that we have heard on radio and television about the soft social programs and other measures that have been added that have been frequently referred to as pork. The pork that people are fingering in the crime bill has to do with prevention. I would like to say that this is a crime control and prevention proposal. It is not simply to act after the fact when criminals are caught and convicted and to find new prisons and more punitive measures to deal with them. Crime in this country has to be dealt with from two perspectives, and one is to be tough on the criminals that have been caught and convicted, but also to look to our society to find ways to prevent violence and crime in our society. That is the situation with violence against women.

It is too late to look upon the men who have created the violence and have assaulted women and battered women and killed women and say, "What are



we going to do with these individuals" with respect to the trial and the conviction and the imprisonment. What we need to pay attention to is what we are going to do to prevent this violence. All too long in our society women have called the police, complained, noticed situations that were aggravating their lives, and people have simply ignored it, paid no attention. A woman could be on the kitchen floor bleeding to death with her husband standing over her and the police would do nothing if she refuses at that particular moment to file a complaint against her husband. In many cases, she has no choice.

This provision in the crime bill for the first time recognizes that prevention of violence against women is really the way to go. They have put in a substantial amount of money, supported by both sides of the aisle. As a matter of fact, the provisions on violence against women was in the Republican proposal submitted in July 1994 at \$1.8 billion. We are in agreement on this.

But the point I am trying to make is not that this provision is in agreement but that the concept of prevention is the key to the substantiation of this entire program of \$1.8 billion. It will provide for the establishment of centers for women and do counseling and establish ways in which we can sensitize police officers and prosecutors as to what they must do under these circumstances to afford greater protection to women who file complaints regarding violence. By all agreeing on the \$1.8 billion in the crime bill, we have acknowledged that prevention is a very important part of any crime bill.

Going back, then, to the public excitement with respect to prevention programs, given that the provisions for violence against women are substantiated and agreed to by everybody, let us look at some of the other provisions which have been included that deal with youth offenders, with youth at risk. We note with great interest that although almost with unanimity those who are opposed or have voted against the rule or voted against the crime bill argue that there is just too much pork in it, let us see where the pork came from. I have a very interesting analysis here which says that, for instance, this much-touted midnight basketball provision which is funded at \$40 million was acknowledged by President Bush as one of the outstanding points of light in his program. It is included in some of the Republican measures. The same thing is true for the community schools program. We have Senator HATCH and Senator DOLE being sponsors for a \$630-million program for youth programs in our schools, tutoring and so forth.

I ask those who oppose the bill on these frivolous grounds to look to the sponsors of some of these prevention programs and agree that they belong in any crime bill that this House passes.

#### A CALL FOR UNIVERSAL HEALTH CARE COVERAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. MCKINNEY] is recognized for 5 minutes.

Ms. MCKINNEY. Madam Speaker, health care reform without universal coverage is no reform at all.

I am pleased to join with my colleagues as we underscore the need for health care coverage for everyone.

I would like to remind my colleagues of the six principles of health care reform: First, security; second, simplicity; third, savings; fourth, quality; fifth, choice; and sixth, responsibility. They are included in the Gephardt bill and must be a part of any reform that is meaningful.

After waiting for so long, hard-working families from Georgia's 11th District and throughout America can no longer wait for health security—their interests will not be served by tinkering at the margins.

Mr. Speaker, we were sent here to Washington with a mandate from the people—to change the business as usual politics into a government that looks after the needs of its people. We anticipated resistance from the obstructionist, divisive Republican Gridlock Gang, and we have been fighting them with full force every step of the way.

Politics, gridlock, and partisan positioning can no longer keep us from accomplishing what is within our grasp: Health care reform that guarantees that health care will be there when we need it.

Without universal coverage, "health care reform" is a meaningless phrase. We must not fall short of our promise. Health care reform, after all, is for the people.

I applaud the Senate on putting people first by passing the Dodd amendment this week. The amendment will put children and pregnant women at the top of the list to be covered under health care reform. Nothing should be of greater importance than the health and well being of our children. Unfortunately, the Gridlock Gang does not care about America's children and pregnant women.

About 6 years ago, I took my 2-year-old son to Scottish Rite Children's Hospital in Atlanta for a procedure. As expected, health care providers ran their standard tests for a child that age.

What I did not expect, however, were the results to come back saying that my son carried the gene for sickle-cell anemia.

I was shocked. This disease that predominately strikes African-Americans and wiped out so many—how could it have found its way into my son's little body?

After more tests, it was determined that he only carried the trait and he does not have the disease. He is a happy healthy boy who plays soccer

and baseball and does well in school. But in the back of my mind, every time he has stomach pains or his arms and legs ache, I worry of what it might be. And I get angry that still today there is not enough research on sickle cell anemia.

At the National Institutes of Health, researchers are working to find effective treatment for sickle cell. However, without access to health care, hundreds of thousands of uninsured African-American children will not reap the benefits of this research. We need to pass health care reform now. Our kids must not be forgotten.

The Gephardt bill does not forget the importance of research in meaningful health care reform. Mr. GEPHARDT's bill will put a 1 percent tax on health insurance premiums, which will go into a trust. A portion of that trust will go to NIH research that will find new cures and treatments, giving hope to those who battle diseases such as sickle cell and breast cancer. The funding from this trust for NIH will begin at one-half billion dollars and will grow to three-quarters of a billion over 10 years.

I urge all Members of this House to do the right thing for the people of America. Passage of the Gephardt bill assures health care reform that puts people first. And health care reform without universal coverage is no reform at all.

□ 1910

#### ORDER OF BUSINESS

Mr. HOYER. Madam Speaker, I ask unanimous consent that I might go out of order at this time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

#### DEMOCRATS AND REPUBLICANS SUPPORT THE CRIME BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mr. HOYER] is recognized for 5 minutes.

Mr. HOYER. Madam Speaker, I rise today to commend the bipartisan—indeed nonpartisan—exchange of views on the crime bill during last night's special order.

If you did not hear it, I suggest you read the transcript in the CONGRESSIONAL RECORD. There was one brief, shining moment of high-minded discussion on the issues before us in this crime bill.

Mr. SHAYS, Republican from Connecticut, and Mr. WYDEN, Democrat from Oregon, cast aside the partisan rancor that has all but consumed debate on this issue. They did not agree on every issue, but they did agree on this: We must pass this "punish and prevent" anticrime bill now.

I share the Connecticut gentleman's "real concern that in the process of debating this bill, a lot of misinformation has been discussed that has distorted the issue."

I share his hope that "in the next day or two we get to focus back on how we can deal with crime both from an enforcement and a preventative side and what we can do to help our cities."

That is what this bill is about. Protecting our families. Putting more police into our streets. Ensuring that our children are safe from the violence that plagues too many of our communities.

This bill will punish criminals.

This bill will prevent crime from happening in the first place. That is what the American people want from this legislation. This is what they demand that we do.

Some would turn this serious issue into a political football. You see, there is an election coming in November. Every seat in this House is up: Some of us will return, some will not. Some feel that their return ticket and political fortunes hinge on their political gamesmanship with this critical legislation.

But the people on the frontlines know that crime is no game. They know that this bill will make a difference in people's lives.

On Tuesday, I quoted President Bush's prescient remarks about the value of the prevention program this bill provides for. Today, I am pleased to quote from a letter signed by 13 mayors from across the Nation:

Ashe of Knoxville,  
Riordan of Los Angeles,  
Mystrum of Anchorage,  
Smith of Newark,  
Drinkwater of Scottsdale,  
Turner of Dayton,  
Mullins of Palatine,  
Lashutka of Columbus,  
Johanns of Lincoln,  
Helmke of Fort Wayne,  
Gardner of Jefferson City,  
Stewart of Provo,  
Norick of Oklahoma City.

Mayors from across the continent. Mayors on the frontlines. They know what works. They think that this bill will work. And they are all Republicans. They write:

Last fall, a bipartisan group of mayors worked with police chiefs to draft the National Action Plan to Combat Violent Crime. Many of the elements of that plan are included in this crime bill: 100,000 officers; local flexibility; more prisons and alternative forms of incarceration; strong prevention measures; enhanced penalties; and strengthened Federal drug control efforts.

They continue:

The conference agreement provides important help to us, important tolls in our efforts to prevent and control crime. \*\*\* As the elected officials closest to the people, we know that crime has been and will continue to be the most important concern of our citizens. They are looking to all of us for help, the kind of help that we can deliver through this crime bill.

They are not alone in urging that this bill be passed. Bipartisan support for this crime fighting bill seems to be breaking out all over the country if not within this Chamber.

My colleagues on the other side of the aisle were rightly proud when two Republicans gained the highest office in the Nation's two largest cities—New York and Los Angeles.

New York's Mayor Giuliani, a well-known crime fighter and one of the Republican Party's brightest stars, got it right when he said that this "crime bill is as much my bill as it is anyone else's \*\*\* It reflects my philosophy. It reflects my sense that there has to be a balance between enforcement and prevention."

Mayor Riordan of Los Angeles said that this "crime bill is the boost that we've all been waiting for to make our cities safe."

Ultimately, this comes down to one question: How does this affect Americans who play by the rules and pay the bills?

Carolyn McCarthy is someone who plays by the rules. Her husband was killed and son wounded last December on the Long Island Railroad. Mrs. McCarthy issued a clarion call to every Member in this Chamber yesterday: "Congressmen need to put aside their differences. This is for the common good of all of us. Children are shooting children. Something is wrong."

Something is wrong, Madam Speaker. We can do something about it: If we tone down the rhetoric; if we turn away from partisan bickering; if we listen to those Americans on the frontlines, in our communities, in our neighborhoods who want this anticrime package.

□ 1920

The SPEAKER pro tempore (Mrs. THURMAN). Under a previous order of the House, the gentleman from Oklahoma [Mr. ISTOOK] is recognized for 5 minutes.

#### ORDER OF BUSINESS

Mr. KINGSTON. Madam Speaker, I ask unanimous consent that I be allowed to proceed out of order with my 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

#### TRIBUTE TO PAUL ANDERSON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. KINGSTON] is recognized for 5 minutes.

Mr. KINGSTON. Madam Speaker, today, in the city of Vidalia, located in the First Congressional District, Paul Anderson was remembered in a Memorial Service. There will be many testimonials and many memories of his spir-

itual heart, which will continue to beat for many generations.

Because he was a native and life-long resident of Georgia, thousands of my fellow Georgians will pause today to remember Paul and the remarkable story of his life—a life that brought him world-wide attention and acclaim.

Paul Edward Anderson was born on October 17, 1932 in Toccoa, GA. He suffered from kidney inflammation and rheumatic fever before he was six, however, he overcame problems with these childhood problems and was awarded a football scholarship to Furman College in Greenville, SC. It was at Furman that he began to lift weights. Finding that he had the physical and mental strengths necessary for such a demanding activity, he began a routine of training that found him lifting heavier and heavier weights and starting his own high-protein diet to put on more weight.

His weight lifting talents helped him to be selected as a substitute on a United States team going to the Soviet Union to compete against the best Soviet lifters in 1955 in the first athletic competition held solely between the two countries since World War II. The heavyweight lifters were to provide the climax event for the competition.

The top Russian heavyweight lifter tied the Olympic record with a lift of 330 pounds in the two-hand press. Paul Anderson followed with an unheard of lift of 402.4 pounds, 20 pounds over the existing world record. This lift was to catapult him into overnight international fame as the Strongest Man in the World. Paul Anderson had spent years of dedication, hard work, and faith to become this overnight success. He knew all along he could outlift any other human. He only needed the opportunity to prove it.

This fame was further validated when he broke two world records in winning the World Championships in Munich later that year. In the 1956 Olympics in Melbourne, Australia, he could clean and jerk over 414 pounds and become the first person ever to lift a combined 1,102 pounds in the three Olympic weightlifting events. Paul was awarded a gold medal in the super heavyweight division—a division no American has won since; he became an instant hero in America, a country that needed a man of action, of physical power to counter the Soviet Union's domination in international athletic competition.

He not only brought home the gold medal with him, he brought a renewed commitment to God. During his Olympic winning lift, he initially failed at the first two lifts needed to win. On his third—and final—attempt, Paul related that he asked God for the little extra help he needed to push the weight up over his head. He made the lift that literally set the direction for the rest of his life. As an Olympic hero, he made many demonstration tours. During one



of these tours, he saw youths incarcerated with hardened criminals. He found his way to fulfill his promise to God by serving others through the establishment of a youth home for delinquent boys.

With his accomplishments and his size, Paul Anderson was not an easy man to miss. His olympic size was 5 feet, 9 inches tall, 375 pounds, a 58-inch chest, 36-inch thighs and a 22-inch neck. Using his booming voice, Paul began a series of speaking engagements that saw him witnessing for God and then performing some kind of demonstration lift, such as lifting people from the audience on a table, that would prove to be a crowd pleaser and help bring in the money needed to get the youth home started.

In 1957, Paul made the ultimate lift in his hometown when he piled weights onto a specially constructed table. He lifted this table—a total of 6,270 pounds—with the strength in his back and legs. This lift is still listed in the Guinness Book of World Records as the greatest weight ever lifted by a human.

In 1959, he met and married his wife Glenda who shared his vision of a home for troubled youth. In 1961, they founded the Paul Anderson Youth Home in Vidalia with the purpose of providing a Christian home for young men between the ages of 16 and 21 who would otherwise be confined to penal institutions. They developed a daily routine that includes spiritual guidance, academic training, physical fitness, emotional development, social awareness, and work assignments. In 1976, an on-campus school began operation to give students the opportunity to earn a high school diploma. The staff at the home provides counseling for the boys as well as their families.

Since the Paul Anderson Youth Home began, 2,000 young people have benefited from Paul's philosophy of life: "Give more than you get and lend you ability in any way you can to help somebody else". Teaching young men to work hard and diligently at any task is a foundation stone of the home's philosophy. The obligation for carrying out work assignments instills in the hearts of young people a sense of responsibility and the personal satisfaction of a job well done. This social awareness is something that is sorely missing in many of today's young people and had helped to lead to many of the criminal problems we see daily.

Paul's wife, Glenda Anderson has overseen its operation. She supervised the staff and the boys while Paul was on his speaking tours; and she continued to provide leadership when later health problems prevented him from his daily activities at the home. Glenda has provided administrative leadership, given personal counseling and attention, and maintained day-to-day contact with alumni and families of the boys. All this while being a mother of their daughter Paula, born in 1966.

Even as he used his life to help others, Paul Anderson faced a personal struggle as his health declined because of his battle against kidney failure. In 1983, Paul's sister gave him a kidney; in 1984, a ruptured colon caused him to be in a coma for 10 days. In 1986, he required double hip joint replacements, and then became confined to a wheel chair. Throughout all these physical ailments, his faith in God never wavered.

Many public honors were presented to Paul Anderson. These are too numerous to be listed now, but I will ask that they be entered into the CONGRESSIONAL RECORD along with just a few of many articles written about the life of this dedicated Christian gentleman. With the 1996 Olympic Games coming to Atlanta, Georgia, Paul was the subject of some recent articles about what has happened since the last time there was much attention to the Olympics in the State, that time being when Paul won his medal. I also wish to share two letters sent to Mrs. Anderson by Billy Payne, the President of the Atlanta Committee for the Olympic Games, and by Lindsay Thomas, the Director of Government Relations for the Committee. Lindsay served as Paul's Congressman from 1983-1992 and came to know him well.

Madam Speaker, I rarely utilize printed space in the RECORD for the inclusion of such articles, but Paul was such a special individual, with such a special story, that I would like to make these stories available to those who want to learn more about this unique person.

Paul Anderson's legacy will be in the thousands of lives that he touched, in the thousands of lives that he and his family changed. His words will be available through the video and audio messages he produced and the books that he wrote. In my congressional office, I have copies of such materials that tell about the life of Paul Anderson, including this copy of his autobiography, "A Greater Strength", which tells the story of the real power behind the world's strongest man.

I look forward to reading this book in its entirety. Before coming to the House floor tonight, I quickly looked through its contents and two passages of Paul Anderson's own words caught my eye. Both of these come from public remarks that he made. After talking about some of his weight lifting feats, he told one crowd:

They call me the strongest man in the world. I want you to know, ladies and gentlemen, that all these things are secondary in my life. I, Paul Anderson, the strongest man on the face of the earth, can't get through a minute of the day without Jesus Christ. The greatest thing in my life is being a Christian.

At another public event in his hometown, just prior to his kidney replacement operation, he was being honored on Paul Anderson Day with the dedica-

tion of a granite marker in his honor. In part, the monument was inscribed with this message: All our strengths come from God: to achieve—to excel—to succeed—to serve—to share—to forgive—to live and die—to gain eternal life through Jesus Christ.

When he departed this banquet to face the uncertainty of an operation that could take his life—or prolong his life of service, Paul Anderson left the gathering by saying:

If someday you hear that Paul Anderson is dead, he's not dead. He's gone to live with God. He can't live anymore in this tired old vehicle. Don't weep for Paul Anderson.

Today, in Vidalia at the Memorial Service and in many other places where Paul Anderson's accomplishments are known, there will be weeping by those who were privileged to know him personally or to see the great good that he did with his God-given talents. With tears in their eyes and joy in their hearts, they will remember a saying once written by a reporter who wrote a feature story on Paul: "Paul Anderson is the strongest man in the world and he lifts weights too."

The Kingston Family and our Congressional office extend our prayers to his wife, Glenda Garland Anderson; his daughter, Paula Dean Anderson Schaefer; his sister, Dorothy Anderson Johnson; and his aunt, Betty Anderson Guest. We also send our prayers of thanksgiving to God for sending Paul Edward Anderson to share his time on earth with so many.

Mr. Speaker, I am including at this point in the RECORD two letters and a letter to the editor concerning Paul Anderson and a list of the medals and honors earned by Paul Anderson, as follows:

ATLANTA COMMITTEE,  
FOR THE OLYMPIC GAMES,  
Atlanta, GA, August 16, 1994.

Mrs. PAUL ANDERSON,  
Paul Anderson Youth Home, Vidalia, GA.

DEAR MRS. ANDERSON: I was certainly very saddened by the news of Mr. Anderson's death. There are very few people in this state who have enjoyed the very high acclaim and wide recognition that Mr. Anderson attained. Being a gold medal winner in the Olympics and the "strongest man in the world" are truly unique accomplishments. The great thing is that Mr. Anderson took his fame and ability and turned it into a life dedicated to doing good for others.

I think, often, of the lives that he touched and the many great inspirations he left for others. To me, the mark of a truly great person is measured in the person's influence on others. In Mr. Anderson's case, these persons, too, are doing great things for the lives of others as well. And so, his great tradition is passed on from generation to generation.

I will always have fond memories of Mr. Anderson and I claim some sort of personal friendship with him, although we were often not in close contact. My acquaintance with him, in addition to reading about him in the news, goes back to Athens "Y" Camp in the late 1950's when, as a young camper, I saw him duplicate the world record press that he later performed in the Olympics.

It was a pleasure this past year when I helped in some small way to see that he received the very special Olympic tag that commemorated the year of his great performance. He was the only person who received such a tag.

I hope you will share my feelings and my condolences with your entire family and all of Mr. Anderson's many friends. He will be an inspiration for generations to come.

Sincerely,

LINDSAY THOMAS,  
Director, Government Relations.

ATLANTA COMMITTEE  
FOR THE OLYMPIC GAMES,  
Atlanta, GA, August 16, 1994.

Mrs. PAUL ANDERSON

Paul Anderson Youth Home, Vidalia, GA.

DEAR MRS. ANDERSON: It was with sincere regret that I learned of the passing of your husband on Monday of this week, and on behalf of all of the employees of The Atlanta Committee for the Olympic Games I extend to you and your family our deepest sympathy.

As a young person in the late 1950's I, like many other Georgians, shared a special, great admiration and respect for the many accomplishments attributed to Paul Anderson as an athlete, and most especially as a gold medal Olympian. As I have grown older, however, and learned more about Paul Anderson, the man and humanitarian, those athletic feats, though impressive by any measure, pale in comparison to his many contributions to the youth of our society who for various reasons needed special attention and a friend.

Like the true Olympian that he was, Paul Anderson reached beyond himself in every phase of life and in doing so set an example for the rest of us that will live forever. We have lost a truly great person, but the legacy that he leaves behind is one that can only be measured in Olympic proportions. In his memory it would be most appropriate that those of us who remain strive to follow that legacy and touch the lives of our fellowman in the positive way that Paul Anderson demonstrated for us.

God bless you and your family, and thank you for sharing your wonderful husband and father with us.

With best regards, I am

Sincerely,

WILLIAM PORTER PAYNE,  
President and Chief Executive Officer.

[From the Advance-Progress, Sept. 16, 1992]

PAUL ANDERSON IS THE STRONGEST MAN IN THE WORLD AND HE LIFTS WEIGHTS TOO

With the announcement that Atlanta will host the 1996 Olympics, newspapers throughout the state, including our own Advance-Progress, have begun running numerous articles concerning the upcoming games. Though a good four years away, the impact these games will have on our state has already begun to take shape, creating a tremendous interest among Georgians. With this in mind, I thought the local readers would enjoy learning more about Vidalia's own Olympic hero Paul Anderson.

Paul Anderson was born in 1932 in the midst of The Great Depression in Toccoa, Georgia, where he spent the majority of his early life, graduating from Toccoa High in 1949. In 1952, at twenty years of age, the young man from Toccoa appeared on the weightlifting scene where he immediately gained the attention of lifters throughout the United States, breaking records that had taken old time lifters dozens of years to es-

tablish. Anderson, who stood 5'9" tall, weighed around 300 pounds and sported huge 21" biceps, 16" forearms, 58" chest, and massive 34" thighs. Those who witnessed his lifts in person, described the young man as a new strength sensation. The stories coming back from his competitions were so amazing that for some time many of the magazines refused to believe he actually existed.

Between 1952 and 1955, however, magazines and newspapers throughout the United States and then overseas saw the new sensation in person as he quickly took control of the heavyweight division, smashing record after record. Lifting magazines described the young man as one of the greatest lifters of all times.

Paul gained worldwide attention, however, in 1955, when he shattered the egos of the Russians, who had ruled the heavyweight division for years. Paul's performance behind the iron curtain in Moscow was far beyond a simple win. He dominated the competition with such ease that the Russian newspapers labeled him a wonder of nature. One elderly Russian stated, "I can die happy now, I have seen the greatest thing on earth". Throughout the world Paul Anderson was recognized unquestionably as the strongest man in the world. Paul continued his march through the record books right up to the 1956 Olympics in Melbourne, Australia, where, despite a horrible fever, he won a gold medal in the then heavyweight division.

1996 will mark forty years since Paul's Olympic performance. It also marks forty years since an American has won a gold medal in the heavyweight division. Nine Olympic games have passed since Anderson's performance, yet the ever elusive Olympic gold medal remains only a dream to the many American heavyweight lifters who have trained and competed for the last four decades.

For many athletes this would be their top achievement. For Paul Anderson, however, his life had only just begun. The gentle giant from Georgia yearned for more, and in 1961 Paul and his wife Glenda established The Paul Anderson Youth Home in Vidalia.

For over thirty years The Paul Anderson Youth Home has provided thousands of homeless and troubled teenagers, most of whom would otherwise be in juvenile or adult institutions, a home where academic training, physical fitness, emotional development, and spiritual guidance are instilled. Their unique approach has been duplicated in numerous other homes throughout the nation by those wishing to accomplish the tremendous results achieved by the home in Vidalia. The Andersons, who are devout Christians, attribute their success to the spiritual guidance they give to the young men. One only has to talk to present and past students to realize the wonderful results the Vidalia home achieves.

Anderson is known throughout this country and even the world, however, not just for his athletic abilities, but for the tremendous Christian values he has carried with him over the years, and for his untiring devotion to helping his fellow man. That untiring devotion had him traveling untold hundreds of thousands of miles where he appeared before as many as five hundred audiences a year. During those appearances Anderson would astound his audiences as he lifted objects that no other human could lift and then, with a booming voice that very rarely required a microphone, shared with his audiences his love of God, country and the free enterprise system.

Over thirty years later one only has to ride out highway 297 to the north end of town

where the beautiful Paul Anderson Youth Home stands to see that one man can make a difference, and that true heroes do, indeed, exist. Anderson's unselfish giving and his tremendous spiritual devotion has propelled him into a category very few athletes ever achieve.

Though Anderson plays down the many records he set years ago, instead wanting to discuss the youth home and his many Christian achievements, lifting experts throughout the world continue to discuss his legendary strength. Many believe Paul Anderson is the strongest man who has ever walked on earth. This was no more apparent than in February of this year when at the first ever held Power and Strength Symposium in Orlando, Florida, his peers recognized him as the strongest man of the century. One only had to be there in person to feel the tremendous respect these athletes hold for the man they have loved for years. Once again, however, the talk around the tables after Anderson left for his return trip home was not just of his athletic strength, but centered around the tremendous Christian principles he has shared with untold thousands over the years.

Those close to Anderson have adopted a saying once written by a reporter who spent some time with Paul for an upcoming feature story. Though the reporter's name has long been forgotten, his words have not: "Paul Anderson is the strongest man in the world and he lifts weights too."

Sincerely,

LARRY COLEMAN.

PAUL ANDERSON

1955—Won World Championship in Munich, Germany, by breaking two world records.

1955—Appointed Lieutenant Colonel, Aide De Camp, Governor's staff by Georgia's Governor Marvin Griffin.

1955—Georgia's Governor Marvin Griffin proclaimed July 5 "Paul Anderson Day."

1955—Goodwill Ambassador for America through the United States Information Service.

1956—Olympic Gold Medalist, last American to win in the super heavyweight division.

1961—Founder of Paul Anderson Youth Home, alternative to juvenile and adult penal institutions for boys between the ages of sixteen and twenty-one.

1964—Helms Athletic Foundation—Helms Hall of Fame Award.

1966—Appointed Lieutenant Colonel, Aide De Camp, Governor's staff by New Mexico's Governor Jack M. Campbell.

1966—Named one of Five Outstanding Young Men in Georgia by Georgia Jaycees.

1970—Governor Jimmy Carter appointed him to State Physical Fitness Council.

1971—District Toastmasters International Georgian of the Year.

1974—Inducted into the Georgia Athletic Hall of Fame.

1975—Appointed member Advisory Committee on Juvenile Justice and Delinquency Prevention by Governor George Busbee.

1975—Presented Branch Rickey Memorial Award, highest honor presented to laymen by Fellowship of Christian Athletes.

1977—Recipient of the Golden Plate Award presented by the American Academy of Achievement.

1983—Appointed Lieutenant Colonel, Aide De Camp, Governor's Staff, by Georgia's Governor Joe Frank Harris.

1983, May 25—Citizens of Toccoa, Georgia, placed a permanent marker at his original home in Toccoa.

1983, May 25—Governor Joe Frank Harris proclaimed "Paul Anderson Day" in Georgia.



1983, May 25—Congressional Record paid tribute to Paul Anderson.

1983—Granted the Honorary Presidential Sports/Fitness Award for his contribution to sports in the USA by President Ronald Reagan.

1984—National Powerlifting Hall of Fame.

1984, May 30—Awarded Father of the Year by Southeast Farther's Day Committee.

1986, October 5—Declared "Paul Anderson Day" by Governor Joe Frank Harris in commemoration of the Paul Anderson Youth Home's twenty-fifth anniversary.

1990, June 29—Awarded Honorary Doctorate of Education from Piedmont College, Demorest, Georgia.

1992, February 14—Inducted into the Fellowship of Christian Athletes Hall of Champions.

1992, February 29—Presented "Strongest Man of the Century" award at the 1992 USA Power and Strength Symposium.

Awarded keys to cities including: Memphis, Tennessee; Salisbury, Maryland; Anniston, Alabama; Gainesville, Georgia; Toccoa, Georgia; Shreveport, Louisiana.

Listed in "Guinness Book of World Records" "... raised the greatest weight ever lifted by a human—6,270 pounds."

Member National Board FCA.

Author of three books, weightlifting courses, and poetry, as well as numerous newspaper and magazine articles.

Philanthropist whose speaking engagements and weightlifting exhibitions have provided a majority of the funding for the Paul Anderson Youth Home.

Highly acclaimed speaker for churches, Christian organizations, colleges, universities, high schools, corporations, and civic organizations.

Serves on the Board of Advisors of the Fellowship of Christian Athletes (FCA).

#### HEALTH CARE REFORM AS IT AFFECTS THE 85 PERCENT WHO ARE NOW COVERED—THOUGH NOT FULLY

The SPEAKER pro tempore. (Mrs. THURMAN). Under a previous order of the House, the gentleman from California [Mr. BECERRA] is recognized for 5 minutes.

Mr. BECERRA. Madam Speaker, I was going to devote a few minutes to talk about health care reform, but rather than do that I would like to just address some of the points made by some of my colleagues a little earlier today.

First, let me say a little bit about health care reform. I want to do that because I look at things from the context of what has happened to my family. I will speak most specifically about my mother and, if I have a chance, I will talk about my child, who is now about 15 months old.

I know a few of the gentlemen, my colleagues who came up before me, talked about the system and how it does not work. I think all of us would agree there are things about our health care system that do not work and dramatically do not work. But when one of my colleagues, Mr. SAXTON, from New Jersey, mentioned that 85 percent of the system works well because 85 percent of Americans are covered and 15 percent are not covered and it is

that 15 percent that we have to address, this is a very major point. The 85 percent or so of the people who are insured are not getting the best type of coverage they deserve, whether it is my mother or someone working out there in the world or someone working in a business.

Talk to them, and they will tell you. They are right now concerned about whether or not they are going to keep their coverage or whether or not they are going to be able to afford it. That is what we have to address. Not just the 15 percent of America, which constitutes 39 million Americans, who are not insured, though we have to take a comprehensive approach to reform of our health care system.

Why do I say that? Well, I look at my mother. Years ago she had an operation in which she was in and out of the hospital within 24 hours. She was receiving some treatment because she was having calcification in her ears and was losing some of her hearing.

The doctor said it was a fairly routine procedure. It was surgery, they did have to go inside. But they said if all goes right, she would be out within 24 hours. Well, sure, she was in and out within 24 hours, with a bill of about \$13,000. Now my mother had health insurance because my father was employed as a laborer for about 27 years of his life in road construction and he had partial coverage, 50 percent coverage—50 percent of \$13,000, which they had to pay out of pocket is a lot of money for anyone, especially for someone who never earned more than \$20,000 or \$23,000 in his or her life before retirement. When my mother tried to deal with the situation and figure out why it was \$13,000, she called, and she called not just the hospital but she had to call the insurance company. I must tell you my mother quickly learned what it is like to be an attorney, because she had to become her own attorney because she did not want to spend another \$7,000 trying to, now, get an attorney to help her resolve the problems with her bill.

Interestingly enough—and I am her son, so she calls her son, who happens to be an attorney—when we finally had a chance to get access to that bill, let me tell you it was like extracting teeth to finally get the insurance company to give us copies of the bill.

I see why we have people complaining all the time about \$5 aspirin tablets, because some of the expenses, some of the charges on that bill were ludicrous. Yet, she is someone who is covered. She is considered among the 85 percent of Americans who receive health insurance because she is able to get it through my father's employment, now in retirement.

Yet, can she afford to pay out \$7,500, \$6,000, even \$1,000 in any given year for health care? It is tough. It is tough for anyone.

Now, put on top of that the fact that most people are seeing their deductibles go up, their copayments go up, their overall cost of premiums go up, and you see that the 85 percent who are covered do not have it easy.

On top of that, take a look at the 12 to 14 percent rate of inflation for medical costs, and you see something is wrong when the rate of inflation overall is about 2 or 3 percent.

Something is wrong.

Then I look back at my father's experience, and I had a chance to work with him when I was trying to pay my way through college, working out in road construction as well, more and more you find people who are working, working men and women who are constantly having to negotiate down their salaries to maintain their health care benefits.

That to me is not a sign of a system that is working. That is why we have to change, not only for the 15 percent who are not insured but for everyone, because sooner or later those who are insured are going to find themselves in the category of those who are not.

Interestingly enough, one of the reasons we have gridlock in this House is because people are saying, mostly on the other side of the aisle, that we cannot have what is being called the employer mandate or, as some would call it, shared responsibility, where the employer would pay a percentage, normally 80 percent, and the employee would pay a percentage, 20 percent, of the insurance.

Strangely enough, we are having a debate over something that goes on in America every day. Most of those 85 percent of Americans who are covered right now by insurance get it through their employer. They get it because the employer pays a good percentage of it right now, employer mandate or not. That is why I think what we have to do is understand that there is some good and some bad and make sure we deal with it for everyone, not just those who have it now.

I would hope that the debate on health care deals with those small issues, whether it is not those who—those who are not covered or the issue of those who are seeing too much bureaucracy, and we see there is a greater good in getting universal coverage.

#### HEALTH CARE REFORM: THE IMPACT OF TAXES

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from Pennsylvania [Mr. WALKER] is recognized for 60 minutes as the designee of the minority leader.

Mr. WALKER. Thank you very much, Madam Speaker.

I am going to talk a little bit about health care myself this evening. I am going to talk, and hopefully be joined by some of my colleagues in this effort,

about the taxes that are included in a variety of health care bills that are before this Congress, and try to put into perspective why some of us are concerned about how health care will be paid for, if in fact some of those particular measures pass.

But what I really want to do is begin by putting this into a little larger context because I believe the debate about health care also characterizes the debate going on in the country and a number of other arenas.

In Washington today the debate is often characterized as between conservatives and liberals or Republicans and Democrats or varieties of other kinds of groupings and that we have these battles that involve those kinds of political factions.

In my belief, that is not the real battle that is going on here. The real battle in Washington today and in the Congress is between those who believe that Government is too big and spends too much and another faction that believes just as sincerely that bigger Government means a better America.

Now, I number myself among those who believe that Government is too big and spends too much. Many of my Republican colleagues, I think, would probably be in that same category, although not all. Even some Republicans would agree that bigger Government means a better America.

But the health plans that we are considering here are very much involved with those two kinds of philosophies. In one case you have some health plans that stem from the idea that Government is too big and spends too much, and they are plans oriented toward keeping the present system of private care, private choice, and having the free enterprise system have a chance to work in health care. That particular system has produced the best health care system in the world. Many of us think it ought to be kept.

Those who believe that bigger Government means a better America have fashioned some new bills in Washington, some of which are coming before us in the form of the Clinton-Mitchell bill and the Clinton-Gephardt bill. In those cases they are also not only re-making the health system but they are figuring out ways to pay for it that involve new taxes, which is the subject of our special order this evening. This is happening in the context of an America where more and more people are coming to the conclusion that they need to take more responsibility for their own lives and that other people need to take more responsibility for their own lives. They also believe Government needs to have more accountability. It should not grow bigger; as a matter of fact, it ought to get smaller and be more accountable to the people.

And they want some idea of a hopeful future. They want some hope about what future generations are going to

have in this country. In fact, many Americans think that one of the goals that we should be pursuing is the renewal of the American dream.

Now, I would contend that it is very, very difficult for more people to assume responsibility for their own lives if you raise their taxes, if you cut their wages and you take away their jobs.

I would also contend that it is very difficult to hold people more accountable within their own communities and hold the Nation more accountable if what we are doing to Americans is raising their taxes, cutting their wages and taking away their jobs.

And I would suggest there is very little hope involved in any kind of measures that pass the Congress that in fact raise the taxes of Americans, cut the wages of Americans, and take away the jobs of Americans.

□ 1940

And yet, and yet, the proposals that have been brought to us in the form of the Clinton-Mitchell health care plan and the Clinton-Gephardt health care plan would have exactly that impact on the country.

I am not going to discuss the problems that it would create for health care. I believe that these are plans that would create massive problems in the delivering of health care in the country, but I am not going to talk about those this evening. I am going to talk about the economics of the plans, and in those plans I am going to suggest that those plans have the potential for raising taxes, cutting wages, and taking away American jobs, and that is, in fact, a major concern, I think, for all of us if that is, in fact, what this Congress is going to do. I believe it is, and that will be a part of our discussion this evening.

What I would like to do is yield, first of all, to my colleague from Colorado [Mr. ALLARD] who is working with me on a task force looking into this whole problem of the tax problem within the health care plans and how those taxes can lead to cutting wages, increasing the tax burden on Americans, and taking away their jobs, and I yield to the gentleman.

Mr. ALLARD. Madam Speaker, I thank the gentleman from Pennsylvania [Mr. WALKER]. I would also like to compliment you, Mr. WALKER, on your fine work on the floor and your fine work on this issue because unfortunately there are too many Members of Congress that do not want to talk about the cost of health care, who want to continually talk about the benefits, but somehow or the other this is going to end up in a free ride. Nobody is going to have to pay for it, and every American knows that you are not going to get something for nothing, that the costs have to come from somewhere, and that is why this discussion is so very critical.

The focus that I would like to bring to this discussion is as somebody who has been in business for himself. I came to the Congress as a small business man. I was a veterinarian, started my own business, and I understand how sensitive small businesses are to just small changes in tax rates, and here we are, for example, with the Mitchell-Gephardt plans that are talking about tax increases that are going—

Mr. WALKER. That is Clinton-Mitchell and Clinton-Gephardt.

Mr. ALLARD. That is right. We got the Clinton-Mitchell and the Clinton-Gephardt plans that have been put out before us.

We are talking about increases of revenue. Most of them are tax increases that are going to be applied to the insurance policy, going to amount somewhere to a hundred billion dollars. That is a 20-percent increase in the income tax. Now—

Mr. WALKER. Now wait. Let us clarify that. You are suggesting that the tax increases involved in these two health care plans could amount to as much as a hundred billion dollars a year, which is the equivalent of a 20-percent increase in income taxes in the country.

Mr. ALLARD. A 20-percent increase in personal income taxes in this country, and what that does is that takes away from the spendable resources that individuals have.

Many small business people are individuals because they do not have a large enough company or large enough business to incorporate or to get organized, so they fall under this individual, and this is money that is going to be taken from their net profit and sent to Washington—

Mr. WALKER. But you are not suggesting that any of these plans actually come right out and include a 20-percent increase in the income taxes for Americans; are you?

Mr. ALLARD. Well, the effect—

Mr. WALKER. Effect is that, but in actuality what they have done is they have nicely hidden down in a lot of these bills a lot of taxes that they then do not want to discuss; is that not the case?

Mr. ALLARD. There is a lot of little taxes hidden in all these proposals. One of them has 12 taxes, and another one has somewhere around 17 taxes. But the biggest composite of all this is what we call premium taxes.

Now I had a proposal in the Committee on the Budget that said that any mandated revenues and mandated expenditures had to be on budget. Now the reason that is so very important to this discussion and so very important to the American people is that, when we talk about premiums, people get the impression that we are talking about premiums, people get the impression that we are talking about something that is voluntary, you go down and decide you need your insurance, you pay



for this voluntary assessment so you can get your coverage, but in this case it is a mandated revenue. In other words, you are going to be required to pay it by the Federal Government, and, if you do not pay it, there is going to be some kind of dire consequences.

That in my mind is a tax. That is so important to why we framed this discussion about what is going to have an actual impact on budget and not off budget. If it is off budget, there is no accountability on expenditures, no accountability on revenues, and the American people, I believe, want accountability on the health care system. That is part of their concern today.

Mr. WALKER. The gentleman from Georgia [Mr. KINGSTON] would like to join us here, and I would be happy to recognize him at this point.

Mr. KINGSTON. Madam Speaker, I thank the gentleman from Pennsylvania [Mr. WALKER] for yielding to me.

The question that I had when you were talking about this, you are basically talking about the old payroll tax concept, but has a few fancy slick titles, but it is still the payroll tax; is that correct?

Mr. ALLARD. In my view it is going to have an impact on the bottom line on what the employee is going to take home. It is going to have an impact on the bottom line, what the employer has available to create new jobs and to buy new equipment—

Mr. WALKER. The gentleman from Georgia makes an interesting point here, and it is an important point. Every time you hear someone talk about an employer mandate, that is a fancy word. What it means is payroll tax because when you say employer mandate, a lot of people say, "Well, that's not me. I'm not an employer. I work for an employer. Sounds to me as though my employer is going to get stuck for more money. Maybe that is a bad thing or good thing, but it really doesn't affect me."

What they have not heard is that employer mandate is an 80-20 split, which means that 20 percent of the cost of this they are going to pay. Employer mandate is really an employer-employee mandate with employees picking up 20 percent of the costs of all of these programs—

Mr. KINGSTON. If the gentleman would yield, now I understand a lot of unions have 100 percent of it paid by their employer, so what you are saying, if I have constituents who are members of a union, they are actually going to lose 20 percent.

Mr. WALKER. Right. At the present time anybody that has 100-percent health coverage at their place of work will now be required to pay 20 percent under the plan that has been put forth here called the Clinton-Gephardt plan because they have an 80-20 split, and so it becomes a 20-percent payroll tax or— or 20 percent of the overall payroll is

going to be paid by those union workers in your district. That is absolutely correct.

Mr. KINGSTON. So a rank and file union member working in a papermill in south Georgia who is maybe making \$20,000 to \$25,000 a year better be aware that he is about to lose a substantial portion of his payroll if this socialized medicine plan ever passes. \*

Mr. WALKER. If Clinton-Gephardt passes, there is absolutely no doubt that that employer is going—employee is going to end up with an additional payroll tax, and most employees now have awakened to the fact that that is real money. For most employees out there at the present time, for most middle class employees, for most average families in this country, they pay more in Social Security payroll taxes than they pay in income taxes, and so this is a very, very real expense in the pocketbook when you start talking about that level of payroll tax.

But let me tell the gentleman the gentleman from Colorado was mentioning another thing. There is a premium tax. If you go over to the Clinton-Mitchell bill, there they do not have the payroll tax in it as such. Over there what they have done is they have put in place a 1.75, 1¾-percent tax on all private and self-insured health care plans, a premium tax on your actual health insurance. So, get this:

If you are buying health insurance, what they are now going to do is tax the health insurance that you are buying to take care of your health, and so what they are going to do is raise the price of all health insurance all across the country that not only then affects the employee and the employer, but it also has a massive inflationary impact on the society because all of a sudden you have raised the cost of health care all the way across the board by taxing the premiums on your health care policy.

□ 1950

To those union workers in your district that have particularly good health care plans, guess what? They are going to pay particularly more, because this is an 1.75-percent tax on the entire premium of the insurance.

Mr. ALLARD. If the gentleman would yield, obviously you are not going to get something for nothing. We talk about the current payroll taxes for Medicare, and then we have Medicaid. We are talking about 60 million people covered by both. We have now got a program that is going to bring in another 60 million people. And no matter whether you do something to try and keep yourself healthy, right now there are incentives in the system to be healthy. If a business sets up a health plan for regular checkups, exercise, and whatnot, they can do things

to try and control their health care costs.

This is an uncontrollable cost that is going to go to individuals. It is going to go to the business people. It is a payroll tax that hits both sides. It hits the employer and the employee, no matter what you do, and I think that is devastating.

Mr. WALKER. You know, that is kind of interesting. We wanted to make certain we are bipartisan in some of this. I want to quote here from a Dear Colleague letter we recently got from one of our Democratic colleagues who tells us that when all these premium taxes are added up, it really is not going to pay for better health care. He makes the point, quoting from Congressman TIM PENNY, "Over half of the new taxes in the leadership bill," which is the Clinton-Gephardt bill, "come from premium payments for non-enrolling employees." Listen to this. "These are fees the employers pay for employees covered somewhere else, through their spouse, et cetera. Until the year 2003, the Treasury keeps this money to finance the cost of the legislation, thereby helping the 10-year outlook tremendously. After 2003, this money would be returned to the employer who provides the insurance."

Why isn't this money given to the employer who provides the insurance immediately? Because the money is needed to cover the higher health costs in the first 10 years.

So they are boosting the health care cost. They are charging the employees. We are going to collect the money here, use it to make the books look better, and everybody loses. The employee loses, the employer loses, everybody loses, and we get tremendously more expensive health care in the country.

Mr. KINGSTON. If the gentleman will yield, the thing that I have been told about Medicare during its first 5 years is that it was 70 percent over projection. So the cost of that, and when we are talking billions and billions of dollars, it is so important to remember, 70 percent over projection, when as the gentleman from Colorado says, we are talking about a \$100 billion cost, we have absolutely no idea what we are talking about in truth, because we cannot predict over-utilization.

Another thing, my office is getting bombarded by provider groups saying "I want to be in on the standard benefit package." The history of these State-run programs in places like Hawaii is that new provider groups every year have come in and said include this, include that. And as they do, that \$100 billion that the gentleman talked about goes through the roof. Then the payroll tax will not be just the end of it. There will be more and more taxes.

Mr. WALKER. The history of payroll taxes is every time you have one, it keeps increasing. It is always for

things that look like they are good reasons. But the bottom line is that they have a tremendous impact on the pocketbook of the average American family, and it keeps that American family from being able to be responsible for itself. It keeps that family from being able to pursue the things that it regards as most important, because too much of its money is headed back to Washington or someplace else in payroll taxes, that they end up not being able to afford.

Mr. ALLARD. On this discussion on the cost to the employer and the cost to the employee, I am looking at a study here put out by the Heritage Foundation. They are talking about the impact on both the employer and the employee. Here is a chart that talks about the wage effects of the Gephardt bill, for example. It applies to my State of Colorado.

It states here the net change in wages per employee is \$705. In other words, that employee is going to take home that year \$705 less than what he has been all along, without a salary increase.

Then let us look at the other side and how that is going to impact the small businessman or the employer. It says here that we are looking at a cost per employee to the business person of \$802. So we have the employer facing a cost of \$802, additional cost per year per employee, and then we are looking at each employee is going to be looking at taking home \$705 less. That is just in the State of Colorado.

It is going to have an impact on all employers and employees.

Mr. WALKER. The gentleman raises an interesting point. Recently I was contacted by the National Federation of Independent Businesses, the small business organization in Washington, who has done some studies of their own. I was shocked to find out that if the Clinton-Gephardt health reform bill were to pass, 66,120 Pennsylvanians would end up losing their jobs.

Now, I looked at that figure, and it stunned me. And then all of a sudden I realized if you divide that out, that is on an average 3,150 people in my congressional district that are going to lose their jobs as a result of this. It is not just the wages are going to go down, it is the fact that actual people are going to lose their jobs, 3,150 people in my district.

Then to go along with what the gentleman just said, NFIB looked and figured out how many jobs were going to get wage cuts if we passed the Gephardt bill. This is a pretty stunning figure. In my State, 539,754 people are going to end up having their wages cut as a result of this bill. That is almost an entire congressional district in my State that is going to have their wages cut under this bill.

In my district, if you average it out, in my district under this, 25,700 people

in my congressional district are going to have their wages cut if this bill passes and becomes law.

Now, I do not know a lot of people in my district that can afford to take wage cuts at this point. I sure do not know people who can afford to lose their jobs.

Mr. KINGSTON. Especially after the tax increase they were hit with last year.

Mr. WALKER. They are already paying increased taxes.

Mr. BECERRA. Would the gentleman yield?

Mr. WALKER. I yield to the gentleman from California.

Mr. BECERRA. I am interested in the discussion. I had spoken a little earlier on some of the issues on health care. I do not know if the gentleman from Colorado's figures are accurate or not. We always hear figures. Assuming there might be some accuracy in the figures of \$705 less in take-home pay, it seems to me those Coloradans who will now be given full coverage at an expensive \$705, which is probably 2 month's worth of premiums in this day and age, might be benefited by having the Gephardt plan if that is the case.

In terms of the gentleman from Pennsylvania's point that there might be 3,000 or so people who might lose their jobs in his congressional district, which is again, of course, about the same size as my congressional district, I know that the Department of the Treasury has told me according to their surveys and studies, and again we can question whether they are accurate or not, but that there are 179,000 people in my congressional district who are not insured. A third of those are children. Eighty-five percent of those 179,000 people are working, but they do not have insurance.

Mr. WALKER. Let me tell you how phony those figures are. One of the things the figures included in my districts are the Amish. They do not have insurance because they do not believe in insurance. Yet they are carried as part of the figure here that is told to us about uninsured Americans. So I have real questions about whether or not those figures reflect much beyond a decision that we ought to have a bigger government that provides health care for everyone.

I do not believe, to begin with, that that is possible to happen. But second, I also question whether or not the cost is too enormous. For many of those people that the gentleman from Colorado was talking about, their employers cover them pretty fully with health care insurance right now. What you are saying to them is you ought to give up \$705 so that other people who are not covered can get health care coverage.

Mr. BECERRA. I think the gentleman has misconstrued the plan that Mr. GEPHARDT has presented. The majority leader's plan does not say that

an employer cannot continue to fund 100 percent of a plan. It says the employer is only required to fund 80 percent of a plan. If we have generous employers who wish to fund 100 percent, that is great. I think employees would rather have an employer that would like to fund 100 percent of a plan. We have too many employers who cannot afford to fund 80 percent.

Mr. COX. I assume that the gentleman is aware that the Clinton-Gephardt bill proposes \$7 billion in new taxes on health care premiums themselves, a direct tax on individuals who buy health insurance, if they happen to be self-employed, and obviously a pass-through tax for anyone who gets insurance through their employer.

□ 2000

That explicit \$7 billion tax is just the base of what Martin Feldstein has determined is a \$100 billion annual tax increase. You cannot have a tax increase of this magnitude on the American economy without destroying jobs.

So the real question is not how many people right now are without health insurance and how many people right now are at the margin. The question is, after this enormous new tax plan passes, \$100 billion a year, according to the former chairman of the Council of Economic Advisors, how many more people will be without jobs and how many more people will be on the margin and what overall for America will be the reduction in the quality of care and the availability of care?

If fewer people are working, if we destroy as many jobs as it is estimated we shall with this magnitude of tax increase, what will be the availability to the Government of revenues necessary to run what is obviously the largest expansion of entitlements in American history?

Mr. WALKER. Just to emphasize the gentleman's point, the total job loss under the Gephardt plan, Clinton-Gephardt plan, is 1,323,961 jobs, according to NFIB. The numbers of people who will have their wages cut under the Clinton-Gephardt plan is 10,986,106 people. Those are enormous figures. Imagine, 10 million Americans are going to have their wages cut as a result of this plan.

Mr. BECERRA. The gentleman is being very gracious with the time.

We do not know if the numbers that we are all talking about are accurate or not.

Mr. WALKER. These are NFIB numbers.

Mr. BECERRA. Whatever the source might be, we all have to just assume that what we are saying is somewhat accurate. But if in fact 10 million Americans will now see their wages decrease as the gentleman has explained it, is that not as a result of trying to provide these Americans who do not have health insurance coverage with coverage?



I would ask the gentleman from Pennsylvania, how much is he paying a month right now for his health insurance?

Mr. WALKER. I personally pay, I think, about \$100 a month.

Mr. BECERRA. So in 7 months, you would recoup the \$705 that you are saying the people in your State or the State of Colorado will pay?

Mr. WALKER. I personally pay that. I do not think anybody, I do not think anybody is going to reduce that for me. It is not going to be reduced. I still have to pay it right now. Right now I pay 25 percent. My guess is that that is exactly what I will end up paying in the end. I am not going to have that reduced and no one else is either.

What the gentleman from California is making the point, and he is absolutely right, in addition to that, you are now going to put a premium tax on that insurance that is going to cost me more. The cost of my insurance is now going to go up because of the premium tax that is included in these bills. So you are going to charge me more for my insurance now. I am not going to get any break. Maybe some additional people are going to get covered, but it is not going to help me.

Mr. KINGSTON. Let me say this, if you lose your job, even for a good intention, like to get health care, you still lose your job. I do not think it is the Government's right.

I want to back up a little bit, because in some way we are talking about the paint of a car, the color of a car that we are going to buy, but we do not have the money to buy the car. We have all somewhat agreed, and if I could paraphrase the gentleman from the other side of the aisle, you said we are not sure about these figures, which I agree with. We are not sure about these figures at all.

The reason why we are here, the reason why we were all sent from 435 congressional districts is to know the figures, know the facts.

If you all remember political science 101, whatever your background is, you know that when a bill is introduced, how a bill becomes law. It is read on the floor of the House. It is referred to a committee. The committee assigns it to a subcommittee and sometimes three or four subcommittees, sometimes it goes to two or three major committees. Then it is reported out of it. It goes to the House floor, comes back for a vote.

During that period of time there are countless hearings, countless letters, countless studies done to find out, are we talking 600,000 jobs or 11 million jobs. How many jobs are we talking about? How much money. This is how a bill becomes law.

If you took it in political science 101 in college, you learned you did not need to buy Sominex ever again because this gave you all the facts.

Now, what we are doing with one-seventh of the economy is a little bit different. We are talking about the Clinton-Gephardt bill, which we do not have, unless any of my colleagues have got the bill. Is there anybody here that has a bill?

Mr. BECERRA. It was printed up as of last week in the CONGRESSIONAL RECORD, every single word.

Mr. KINGSTON. Has that been distributed to all the Members?

Mr. BECERRA. It is available now.

Mr. WALKER. Let me just say, it is available. The problem is, the cost estimates are not. A lot of what we are talking about here is cost estimates. The cost estimates are not, because it has not been through the process. We do not have any idea what some of these provisions cost.

Mr. KINGSTON. And remember, Mr. GEPHARDT has already said he is going to rewrite Clinton's bill. So if you have one right there, that is not the bill that your leader has said he is going to rewrite. So here is where we are. We are in a position that a bill has been introduced, read into the RECORD, and that is supposed to be it. I do not know any other bill that has gone through a process like that. We are voting on it because we have been held hostage in Washington, DC.

The President is going to sign it and, presto, rather than this going through a deliberative process and knowing the real numbers on the taxes, how we will pay for it and all of that, we are going to have this. As a result, the American people are going to have this.

Mr. COX. If the gentleman will continue to yield, I think we have to focus on the numbers we do have. The gentleman is right. We are operating in an environment of uncertainty.

Over in the Senate I understand Senator MITCHELL went down to the White House tonight to say that his Clinton-Mitchell bill is in trouble. We are obviously spinning our wheels here waiting for the majority leader to try and put together enough votes on the Democratic side so he might be able to bring his bill here to the floor. That is why the bill is constantly changing. Because in order to get the votes, it has to change.

But notwithstanding that there is no health care bill that has a rule to come to the floor, the Clinton-Gephardt bill that was submitted to CBO, that was printed in the CONGRESSIONAL RECORD that our colleague is holding up in the air, has been scored by CBO in such a fashion that there are \$63 billion per annum, per year, in new taxes on top of current levels in addition to the stated taxes in the Clinton-Gephardt bill. Those \$63 billion have been understated, according to Professor Feldstein of Harvard and the National Bureau of Economic Research, by yet another \$40 billion, getting us to \$100 billion.

Let me illustrate where some of these billions and billions in annual new taxes on American working families are coming from.

Medicaid is nearly abolished by the Gephardt-Clinton bill, a fact of which the majority leader is quite proud. We are going to save, he believes, all sorts of money by requiring private insurance companies to provide Medicaid benefits. But here is the rub, the standard benefit plan in the Gephardt bill is much less generous than Medicaid. So what poor Americans are now being guaranteed by Medicaid is better than what all Americans will get out of the standard benefit package.

And under the Clinton-Gephardt bill, the Government is going to guarantee to the private insurance companies that are now responsible for Medicaid only the same subsidy that they are going to pay to all Americans for the Government standard benefit plan, even though the private companies are going to continue, under the Gephardt-Clinton bill, to have to provide the higher level of care that is currently guaranteed to Medicaid recipients.

That is \$29 billion of difference outlined in this piece by Professor Feldstein and the National Bureau of Economic Research.

What do you think happens to that \$29 billion that insurance companies have to pay out but that they do not get from the Government for Medicaid recipients? They shift that entire \$29 billion cost onto the premium payers that are private.

Mr. WALKER. Over and above the premium tax.

Mr. COX. This is \$29 billion that gets sucked out of working Americans' pockets because private insurance companies are mandated by law to provide the Medicaid benefits that the subsidies do not cover. The money has to come from someplace. That is \$29 billion of it right there in an annual new tax that is quite nicely hidden inside the Clinton-Gephardt bill.

Mr. BECERRA. I thank the gentleman for yielding. You are right, it is difficult to read through this. I would not encourage anyone to have to read such small print. That is the case with just about any bill you pass, because are you dealing with so much language. One thing I did not learn in poli sci 101 is politics. For anyone to come to the floor of this House and say that we have not had a chance to discuss the guts of what is health care reform, I think it is unfair.

Because my predecessor, I just came in, this is my first year in Congress, my first session in Congress, my predecessor, who was here for about 30 years, constantly, for years, tried to push through health care reform, major health care reform. He was not able to do it.

We can go back to the early 1970's when President Nixon tried to push

through similar health care reform as we see on the floor being debated today. It is there. Clearly a lot of the components of the Gephardt bill were not in language that was seen 4 months ago, 3 months ago. But we have debated just about every component of it. Now it is a matter of ways to get it scored to see how much it costs so we can have an honest debate. But to say that we have not had a chance to discuss meaningfully just about every component, I think is an unfair statement for the American people to hear.

□ 2010

Mr. KINGSTON. If I may respond, I find it appalling that you are suggesting that cost is not a major component. Listen, we are not talking about letting the Government run it. We already know that the purpose of the Clinton-Gephardt-Mitchell approach is to let the Government run health care. That is not right. We are talking about the cost of it, and what you have just said, if I heard you correctly, is we have talked about all the major components.

We believe on this side of the aisle, and I believe most of our constituents do, too, that a major component of health care is cost. That is what we are talking about here tonight, and we all know we do not have any idea what it is truly going to cost. That is why we have not even had a bill.

Mr. WALKER. The gentleman from Colorado [Mr. ALLARD] has been very patient, and I will yield to him.

Mr. ALLARD. We are throwing billions of dollars here and a billion dollars there, Madam Speaker, and I think back to my small business background, every \$10 made a big difference. I was in the State senate and we ran things off to the closest thousand. Here we are talking about billions and billions of dollars.

The bottom line is, is this going to cost us more? It is going to cost us jobs and it is going to be reflected in tax rates, the amount of taxes people have to deal with.

Mr. WALKER. All of these billions we are talking about is 3,150 jobs in my district that are going to be lost. The people of Lancaster and Chester Counties in Pennsylvania are going to lose 3,150 jobs that we cannot afford to lose. That is what the billions of dollars mean. That means that practically every community in my district will lose at least one job, and maybe several. We can talk about the billions, but those kinds of specifics do need to be debated here.

Mr. BECERRA. Are not the four gentlemen on the floor here debating one major piece of legislation?

Mr. ALLARD. We have a lot of people working part time who are going to be impacted. They may hold down two or three or four part-time jobs. Those are part of the loss that we are going to—

that is going to make it more difficult for these hard-working Americans on the lower end of the pay scale to keep a job, and then to have the revenue that they need to support their families.

Mr. WALKER. I do not think it is going to be the chairman of the board of one of my major industries that is going to lose his job. My guess is it is going to be people who can ill afford to lose their jobs, who are going to be those who are out jobs as a result of this.

Mr. BECERRA. If the gentleman will continue to yield, and I thank the gentleman for yielding again, it seems to me that one of the important things that the four gentlemen here are excluding or omitting from their discussion in talking only about the Government taxes that may be increased, is what I would call private taxes that are already increasing upon all Americans, either insured or uninsured.

We have a system where close to \$1 trillion right now is being spent on health care, yet we have about 39 million Americans who are not yet covered. If we let things continue the way they are going, in the next 6 years, by the time we hit the next century, we are going to see that the cost will have increased dramatically on Americans.

So whether we call it a tax from the Government or a tax from private industry which has not been able to corral its costs, there is still a tax. Whether it is paid out to the Government or paid out to an insurance company in a premium or a copayment or a deductible, it is still coming out of the pocket of the American people. We have to take the whole picture into account.

Mr. WALKER. I say to the gentleman, before yielding to the gentleman from California, private industries pay taxes, they do not create taxes. Taxes are that which is coerced out of people's pockets by government. That is what is happening here. I will tell the gentleman, that is very specifically what this special order is all about.

We are talking here tonight about what is going to end up being coerced out of the pocketbooks of working Americans as a result of the passage of the Clinton-Gephardt plan. In our view, that is a legitimate subject, because the Clinton-Gephardt plan is in fact a big-Government plan that relies on big-Government taxes.

We want the American people to understand that those big taxes are going to impact on them; that when many people on your side of the aisle talk about employer mandates, the American people need to really know that is a payroll tax. We are talking about a payroll tax, a payroll tax that is not only going to take more money out of their pockets but is going to cost some of them their jobs.

I yield to the gentleman from California.

Mr. COX. I think the gentleman is quite right to focus on this very euphemistic term, "employer mandate." It is a payroll tax, and it is a substantial one. Of course, a payroll tax is a tax on jobs. It is not only a tax on people who currently work, but it is the worst of all, a prohibitive penalty tax on people who do not yet have jobs, because it raises the cost of creating that new job.

If you are trying to get your first job, if you are unemployed and you are looking for work, would it not be a shame if that job that you might have gotten is destroyed because a new tax was placed on that job that made the cost of hiring you prohibitive, and the employer could not hire the margin worker?

What we are looking at with \$100 billion in annual new taxes, according to professor Martin Feldstein, again, at Harvard, the former chairman of the President's Council of Economic Advisers, and the National Bureau of Economic Research, is the equivalent of raising personal income taxes 20 percent across the board.

Mr. WALKER. Can you imagine the outcry that would happen if they actually put that in the bill, that they were going to raise personal income taxes 20 percent to pay for all of the things they want to do?

Mr. COX. If the gentleman will yield, of course that is exactly what is in the bill. The fact that we have not had time to read it in committee, as has been pointed out so eloquently, is the only reason that more people are not aware of the fact that we do in fact have such an enormous increase in taxes in this bill.

Let me just explain where \$13 billion of that new annual tax burden comes from. It comes from Medicare cuts. Again, the majority leader is proud of the fact that his bill cuts Medicare. The bill actually requires that hospitals and other providers continue to provide the same level of Medicare services, no reduction in the services that they are required to provide, but it cuts billions of dollars, \$13 billion a year, out of what they can get for it.

Naturally, the hospitals and the providers are going to have to shift that cost onto their paying patients and onto people who are privately insured, so that those people, working Americans who are not getting the Government subsidies, are going to pay 100 percent of this new \$13 billion annual tax.

That, taken together with the \$29 billion annual tax from the Medicaid shift to private insurance without an accompanying sufficient subsidy, and the \$7 billion in explicit new taxes on health care premiums, of all things—obviously we were supposed to be reducing the cost of health care in this exercise, and now we are levying a tax directly on the health care insurance itself, and



that is on all health insurance, I should add, in the Gephardt bill. Over in the other body the Mitchell bill has a 25-percent tax, a huge tax on any insurance plan that does not fit the prescribed form of the national benefit plan.

Mr. WALKER. So in other words, if you get one of these good plans that some people around here call the Cadillac plan, the Mitchell-Clinton bill would actually tax those plans?

Mr. COX. That is exactly right. But here the Gephardt plan is going to tax you even if you do conform with the standard benefit plan, the one-size-fits-all plan for America. When you add all these taxes together, that is where \$7 billion, the premium tax, \$20 billion, the Medicaid tax, \$13 billion, the Medicare annual tax that I explained, \$27 billion in additional tax burden on the American people that Professor Feldstein explains will be caused by people changing their behavior to, in essence, game the system, so they qualify for more subsidies, all that adds up to \$100 billion a year in new taxes, or the equivalent of a 20-percent income tax increase across the board for all Americans. It is just extraordinary to think of the economic impact this will have on America. It will destroy jobs.

Mr. WALKER. I yield to the gentlewoman from Texas [Ms. EDDIE BERNICE JOHNSON].

Ms. EDDIE BERNICE JOHNSON of Texas. Could I just get a clarification, Madam Speaker?

Are you speaking about the working people that have no opportunity to be covered on their jobs by private insurance, those people that other working people have to take care of, simply because they have no mechanism by which to pay their insurance? Is that the population you are speaking about?

Mr. WALKER. What I'm talking about is the fact that the increased taxes that are in the Clinton-Gephardt bill are going to, in fact, cost a lot of those people their jobs. In fact, I gave a figure earlier, before you came here: 3,150 people in my area, according to the National Federation of Independent Businesses, are going to actually lose their jobs; 25,700 people in Lancaster and Chester Counties, PA, are going to have their wages cut as a result of this bill. A lot of those are people who can ill afford to have their wages cut.

Ms. EDDIE BERNICE JOHNSON of Texas. Are you telling me that businesses would rather lay people off than share the cost of their insurance?

Mr. WALKER. What I am telling you is that the cost of the taxes that are included in this bill are in fact going to have impact. I realize there are a lot of people in the Congress who think we can pass taxes and they have no economic impact. The fact is they do have economic impact, and it causes people to lose jobs.

In this particular case the enormity of the taxes is going to cause literally,

according to NFIB, 10,968,106 Americans to have their wages cut, and over 1 million Americans will lose their jobs.

Ms. EDDIE BERNICE JOHNSON of Texas. What is this going to cost the working people, unless they have the opportunity to pay for their own insurance? A lot of working people do not have the opportunity to pay for their own insurance.

□ 2020

Mr. WALKER. Our point has been the working people are going to pay a terrible price here.

Ms. EDDIE BERNICE JOHNSON of Texas. They already are, paying for those people who have no opportunity to pay for their own private insurance because their companies will not offer them a plan. These are the companies that are pulling out of the taxpayers' pockets because they will not offer an opportunity to people to pay for their own insurance.

Mr. WALKER. The gentlewoman has a rather strange view of the American economy, but I would say that I thoroughly agree—as I said to begin my remarks, I thoroughly believe that there are many people on your side who believe that bigger Government leads to a better America. That is exactly what I am hearing.

Ms. EDDIE BERNICE JOHNSON of Texas. We are not talking about a bigger Government. We are talking about an opportunity to stop paying so many taxes for working people. We want them to have the opportunity to pay the taxes for themselves by having an opportunity to have their own insurance.

Mr. WALKER. Your opportunity is more taxes on both employees and employers.

Ms. EDDIE BERNICE JOHNSON of Texas. You like saying that. But that is not the truth.

Mr. WALKER. It is.

Mr. KINGSTON. Is it not true that the Michel and Rowland-Bilirakis plan does address the working poor, that \$5-an-hour brick mason who may work 8 months a year, he is serviced by the Rowland-Bilirakis plan without a tax increase? He gets to keep his job and his insurance.

Mr. WALKER. There are a number of options around here other than the Clinton-Gephardt big Government plan.

Ms. EDDIE BERNICE JOHNSON of Texas. You want to protect those businesses who do not want to protect their employees.

Mr. WALKER. Madam Speaker, I think I have been very generous in terms of yielding time here on both sides, and I am willing to do that, but I think that we ought to be given the courtesy of pursuing the issue that we brought to the floor. I will be very happy to yield to the gentlewoman and

allow her to have some time, too, but I wish she would allow my colleagues to make their points without trying to shout them. It seems to me we ought to have a dialogue here that is helpful and does not become a shouting match. I will be very happy to yield in a way that makes that happen.

Mr. COX. I think I can answer the gentlewoman's question directly from the Congressional Budget Office report that we have seen on the bill that we are discussing. The CBO's report, and I am reading from it, and this is a quote, acknowledges that the effective marginal levy on labor compensation, and now we are talking about, in other words, the effective marginal tax on labor compensation could increase by as much as 30 to 45 percent for workers in families eligible for low-income subsidies, the very people we are supposedly trying to help, so that "some low-wage workers would keep as little as 10 cents of every additional dollar earned." This is a quote from the Congressional Budget Office report on the bill. This is how steep the effective marginal taxes are on low-wage workers. Of course the ultimate tax is losing your job.

Virtually all economists agree that if there is a new payroll tax, it is going to have to come out of either employee wages or other fringe benefits or it will result in reduced employment. All of the studies presented to the Joint Economic Committee, whether it is from the Rand Corporation, the State of California or what have you all show that that is where the money comes from. That is how the cost is paid. And the only tradeoff is some people say that you lose a few more jobs and you do not reduce wages quite as much. Other studies say, no, you reduce wages a lot and you do not lose quite as many jobs. Everybody agrees that you lose jobs and you cut wages. Of course if the magnitude of the tax is \$100 billion a year, it is just absolutely mind-boggling to contemplate what an enormous tax increase this is. It makes last year's largest tax increase in history pale by comparison. It is absolutely certain that we are hurting low-wage working Americans. The Joint Economic Committee found in a report by our staff economists that the people bearing the greatest burden from this so-called employer mandate, the new health care payroll tax, are people with annual incomes of \$14,000 to \$24,000. Those are the people that are bearing the burden.

Mr. ALLARD. The bottomline is we are pulling in 60 million Americans over and beyond the 60 million that are covered by Medicare and Medicaid. We have to pay for this additional coverage some way. The only way we are going to do that is we are going to have to apply a tax. I was looking at some figures here that is looking at somewhere around \$100 billion.

Mr. WALKER. That is \$100 billion a year.

Mr. ALLARD. One hundred billion dollars a year. We are talking about part-time employees. I am trying to think here. Who are part-time employees? It might be the neighborhood fellow over here that cuts your lawn. It may be someone you hire to come in and clean your house. It might be someone you are paying to baby-sit your pet or even baby-sit your child. So when you stop to think about the myriad of part-time jobs that we have in this economy, it is not hard to understand how you lose jobs when you have these expenses that go over—we are not talking about large corporations, these are individuals who hire people to come in and do work for them on a part-time basis. When both parties get hit with these types of tax increases, it reduces productivity, it has an adverse impact on revenue to the Federal Government, to everybody. And there is a limit there on how high we can go on taxing people, and I think that is a lot of what this discussion is about.

Ms. EDDIE BERNICE JOHNSON of Texas. I just want to clarify with my colleagues. When working poor, marginal workers, whatever way you want to define them, have no opportunity to pay for their own insurance, are you not keenly aware that taxpayers pay that bill? Are we not going to look for an opportunity for them to have a way to pay their own way with it being shared by the employer? Or do you expect that the working people are going to continue to pick up the tab for both the employer and the employee?

Mr. WALKER. I would say to the gentlewoman, that is exactly what we attempt to do in both the Michel bill that is here and the Rowland-Bilirakis bipartisan bill.

Ms. EDDIE BERNICE JOHNSON of Texas. That is what is being done in the Gephardt bill.

Mr. WALKER. One of the provisions in there is aimed at providing the kinds of encouragement that employers need in order to provide that kind of broad-based insurance, and we believe that that will help in the situation. Does it solve the entire situation? No, it does not. But it provides coverage for millions more Americans than now have coverage. But it does so without raising taxes.

What the gentlewoman is suggesting is, it seems to me, that the country is better off if we simply raise taxes, grow Government bigger, because that will help these people.

Ms. EDDIE BERNICE JOHNSON of Texas. You have grossly misunderstood me. May I clarify my point?

Mr. WALKER. Sure. Go ahead. I yield to the gentlewoman.

Ms. EDDIE BERNICE JOHNSON of Texas. I know that it is important to you to label my side of the hall here as

tax-and-spend. That seems to be quite important. But the truth of the matter is the Gephardt bill is attempting to take some of the burden off middle-class America so that persons who are working can have an avenue by which to help pay for their own insurance.

Mr. WALKER. I would say that I think we are attempting that in the proposals that we will put forth as alternatives.

Ms. EDDIE BERNICE JOHNSON of Texas. We are talking about people taking on their own responsibilities. Not raising taxes.

Mr. WALKER. Once again, I remind the gentlewoman that I control the time and I would like an opportunity to answer without her outshouting me.

Ms. EDDIE BERNICE JOHNSON of Texas. I am listening.

Mr. WALKER. We think that we do provide the opportunity within the alternative bills that we have put forward for people to have those kinds of plans and that we do so without raising taxes, but I would simply say to the gentlewoman that the tax plans that are a part of the Gephardt-Clinton plan that you endorse in fact will lead most of those low- and middle-income Americans or for many of them to a situation that is going to raise their taxes, cut their wages, and take away their jobs. We simply say that that is unacceptable, that is unacceptable as national policy. You may think that there is a common good at the end of that process that justifies doing that, but I suggest to you, when you raise people's taxes, cut their wages, and take away their jobs, you have done something wrong.

Ms. EDDIE BERNICE JOHNSON of Texas. Are you assuming that employers are just that unscrupulous? It sounds to me that you are assuming that the employers are irresponsible, that they do not want to take on their proper share.

Mr. WALKER. I am not assuming that at all. I am assuming that if you give them the kind of incentives that they have in the Rowland-Bilirakis bill that they will be very happy to step forward and do this and in fact will do much more than the initial estimates suggested. But right now we have provided disincentives within our State for that. We want to reincentivize the economy to allow employers to step up to that plate and we think that is possible, and you can do so without raising taxes, without cutting jobs, and without cutting wages.

□ 2030

It seems to me that is the right thing to do. Let me yield to the gentleman from Georgia [Mr. KINGSTON].

Mr. KINGSTON. I think it is important for us to recognize that there are philosophical differences as to what the role of Government should be in private industry, in health care, in indi-

vidual people's lives. I think that less Government is better Government. I think often the Government goes into this picture of the struggling middle class who wakes up in the morning and hopes Government will do something for him or her, and I find that kind of like getting fish out of the water to keep them from drowning when the Government gets involved. I do not think the middle class sits forlornly and says only the Government is going to get me out of this one.

You know we have a good bill that does not turn health care over to the Government in the Michel bill.

But there is also the bipartisan Rowland-Bilirakis bill with many of the same things like eliminating preexisting illness, doing away with some of the antitrust problems with the hospitals and health care providers, some tort reform and no tax increases.

But there are philosophical differences here, and really what we are debating as much as anything is that there are good alternatives here. There are two fundamental questions to health care. First, who is going to run it? In the Gephardt bill it already says the Government is going to run it in its entirety because that is the bottom line of universal care. The second question is, Who is going to pay for it? The debate here tonight is really we are not willing to engage in the first question because we have already made up our mind and the other side of the aisle has made up their mind on that. But what we are talking about is who is going to pay for it, and that is why it is so important we talk.

Mr. BECERRA. Madam Speaker, will the gentleman yield?

Mr. WALKER. I want to do a summation and I am told I am down to about my last 3 minutes.

Mr. BECERRA. I will be brief.

Mr. WALKER. I yield briefly to the gentleman.

Mr. BECERRA. Madam Speaker, I think it is important to point out that the bills that the gentleman has referred to, all three gentlemen have referred to, the Republican proposals and the Rowland-Bilirakis bill do not cover anyone, in fact probably leave close to 25 million Americans without insurance, which means, as my colleague from Texas tried to point out, which means again middle-class taxpayers will again have the burden of the problem of paying for the health care costs for those uninsured.

Mr. WALKER. Let me say to the gentleman if I can just take back my time, we simply do not agree with that. That is your analysis of the bill designed to try to say that these bills are going to fail. I agree with what the gentlewoman from Texas told us here a minute ago, that employers, given the right incentives, will step up to the plate, and if they do, we will cover far more than the numbers of people the



gentleman suggests in some of these wild kinds of figures that he gives us.

Mr. BECERRA. This is actual fact. If the gentleman will yield, there was a study done in New York based on incremental reform. This was done in New York which showed that very few people became insured. As a result, the middle-class taxpayer still held the burden of paying the bills for the uninsured, and that is what happens when you have 25 million Americans who remain uninsured. The middle-class taxpayer always has the burden.

Mr. WALKER. Let me say to the gentleman, there can be no study made of the Rowland-Bilirakis plan or the Michel plan because they simply were not introduced in this House until a couple of days ago. There is no way that there can be a study that covers all of the various component parts of those bills that we think add up to an incentive system. There is no plan across the country that does that. The gentleman simply does not have a study that is relevant to the plans that are before us.

Mr. BECERRA. We have a case study of New York, if the gentleman will yield.

Mr. WALKER. You have a case study of New York and a plan that is much different than anything that has been introduced in this House. So it seems to me it is not a relevant kind of program.

The point of this special order tonight, let me just make the point again, the point of this special order tonight is to suggest that you never get something for nothing. If the American people want to assume responsibility for their own lives, they do not want the Clinton-Gephardt plan because the Clinton-Gephardt plan is in fact more big Government interfering in their lives. The Clinton-Gephardt plan then not only interferes in their lives in terms of health care coverage, it takes money specifically away from them, and it does so in increased taxes that go across the board in many, many different ways. Those increased taxes will in fact not only come out of their pocketbook and reduce the amount of money that they have to spend on themselves, but it will in fact cut their jobs and cut their wages.

For most middle class Americans that I am aware of, the thing that they can ill afford at the present time is to have their taxes raised, their job cut and their wages cut. Yet those are the impacts of the Clinton plan on America.

We are simply suggesting that whatever good you hear about the things that you are going to get out of the plan, remember that there is a cost to the Clinton-Gephardt plan. The Clinton-Gephardt plan is aimed not at improving health care for most Americans, because most Americans are very satisfied with the health care that they

now have. It is aimed at, as some people have mentioned here tonight, kind of spreading the cost, redistributing the money, and in the redistribution what they end up doing is raising taxes, cutting jobs and cutting wages.

Now I think that America has to make a choice. Middle-class America cannot afford to have their job cut, cannot afford to have their wages cut, and cannot afford to have their taxes raised. That is what the Clinton plan promises, and it is something which we think America needs to fully understand.

I yield briefly to the gentleman from Georgia.

Mr. KINGSTON. All I want to say is I think one of the big differences tonight is the figures of 25 million jobs, or uninsured people, or 100 million in costs, whatever. That is why I think it is in our own judicial interest to have a good process with a health care bill, with all of the facts and figures laid out on the table.

I also want to thank our friends on the other side of the aisle for joining us tonight. As your favorite talk show host, Rush Limbaugh says, it is like hitting the ball over the net without an opponent when you do not have anyone to talk to.

Mr. BECERRA. I thank the gentleman for yielding me so much of his time.

Mr. WALKER. I thank the gentleman.

#### THE CRIME BILL AND HEALTH CARE REFORM

The SPEAKER pro tempore (Mrs. THURMAN). Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from South Carolina [Mr. CLYBURN] is recognized for 60 minutes as the majority leader's designee.

Mr. CLYBURN. Madam Speaker, I want to begin by thanking my fellow Members of the freshman class for joining me in this special order for the evening.

Madam Speaker, this week the hot topics on the minds of our constituents are the crime bill and health care.

The crime bill took a beating on the floor of this House last week, when its opponents voted against it on a rule.

The one-two punch was delivered by those who objected to the crime bill for one reason or another. Some said they voted against the rule because of the assault weapons ban. Others said they voted against the rule because the crime bill was laden with pork.

Let us take a closer look at these two so-called sticking points in the crime bill.

First, let us take up the argument against the assault weapons ban. When we here in the U.S. House of Representatives initially voted on the assault weapons ban back in May, my office

was inundated with calls and letters from people who both supported and opposed my vote.

I received a lot of angry letters from gun owners and constituents who saw a vote for the assault weapons ban as a vote against what they view as their constitutional right to bear arms.

Let me say that this ban does not tamper with those rights. I support the second amendment and that for which it stands. The assault weapons ban prohibits the future sale of only 19 types of assault weapons, while protecting the right of the American people to own at least 650 other types of guns.

Let me also add that for every angry call or letter I received opposing my vote, I have received just as many calls in support of the ban. These calls are coming from people, who, like me are finding it difficult to understand why anyone would fight so hard to keep these deadly weapons on our streets.

As you know, Madam Speaker, I represent a mostly rural district in South Carolina. Unfortunately my district's demographics do not make it immune from the ravages of crime.

I remember back in January, when the President was winding up his State of the Union Address, a shoot-out was occurring at a college in my district. Two students were injured.

Earlier that day, a high school student lay dead in the hallway outside his classroom—shot by a fellow classmate with a .22-caliber semi-automatic weapon and a grudge to settle.

The student told police he purchased the gun for \$90 from a man in a nearby apartment complex. I don't have to reach as far back as January to recall instances of violence involving semi-automatic weapons in my district. All I have to do is turn on the local news or open the local newspaper.

And all I have to do is listen to the constituents who talk to me when I go home to my district every weekend.

My constituents are becoming increasingly appalled by these violent acts. These are constituents who are afraid to leave their neighborhoods, attend community functions, or participate in family outings. These people, in short, have become prisoners in their own homes.

And what about our children? It breaks my heart to get letters like the ones I recently received from fifth grade students complaining about drugs and the rise of violence in their communities.

What do I say to youngsters who write to me asking for more jails in their communities? What do I say to youngsters who fear the rising tide of violence will engulf the Earth?

I would like to be able to say to them that Congress did its part by passing the crime bill, which represents the most comprehensive and balanced legislative initiative ever undertaken by the Congress to prevent crime and punish those who commit crime.

It is especially for these young people—our future—that I support a crime bill that will provide half of the 100,000 new officers to small cities and rural counties. Each State will be eligible for a minimum of 500 new police officers or equivalent sized grants.

It is for my frightened constituents that I support a crime bill that will work to combat drug trafficking in rural areas by authorizing \$250 million for rural law enforcement agencies and specialized drug enforcement training for rural law enforcement officers.

These are the types of programs in the crime bill that have come under attack by some who see it as only so much pork.

Let us look more closely at this complaint. The crime bill went into conference at \$27 billion and came out at \$33 billion. Why? The crime bill was increased by \$6 billion to provide more funds for police officers, FBI and drug enforcement agents, and local prosecutors, to combat violence against women.

In fact, 85 percent of the \$33 billion in the crime bill is for police, Federal and State law enforcement, prisons, and detention facilities.

The so-called pork programs account for the other 15 percent. These programs were actually cut in conference by \$478 million.

One so-called pork program in particular that has taken a severe beating from the opposition is the midnight basketball program, which has been allocated \$7 million—a mere drop in the bucket when compared to the total \$33 billion allocated for the crime bill.

I want to talk about midnight basketball, because the program has been ridiculed for being nothing more than a Government-funded recreational outlet for thugs.

To the young people who participate in and benefit from midnight basketball programs around the country, it is so much more.

A midnight basketball program has been operating in my district on the East Side of Charleston, SC since 1991.

The program began as a result of a resident's desire to participate in meaningful recreational activity in an area where residents are often stigmatized by the criminal activity occurring in their community.

This year, the Charleston Inner City Midnight Basketball Association ended its most successful season ever with a total of 530 inner-city youth participating in a program designed to build their self-esteem and character, and to enhance a dream that they can improve their lives.

These are children who did not get to go to summer camp, these are children who didn't get a summer job. These are children who are readily written off by the larger society because of where they live.

A program like the one in Charleston goes one step further. During the

school year, many of these academically at-risk youngsters participate in the educational aspect of the program—Project Rescue.

According to the program's senior organizing director, the Rev. Dallas Wilson, thanks to Project Rescue, 11 midnight basketball participants will be attending prep schools this fall. Several are currently in college.

This program is heavily supported by the State and local community. But many more youngsters could benefit from midnight basketball and other so-called pork programs—that are instrumental in redirecting the energies of our young people away from the false attractions of drugs and crime and toward the positive lessons of team work, hard work, and school work.

Although crime is first up on our agenda, the health care debate still rages and we must not forget this legislation or the millions of American people it will affect.

In our country today, there are currently 37 million uninsured people in the United States. If we pass health care legislation without universal coverage, there is no way to guarantee that these Americans and their families will have health coverage they can never lose.

Take a look at this pie chart. It is a very simple chart and the message is very clear. The gold portion represents the 1.1 million currently uninsured Americans that will receive coverage under a plan with insurance market reforms. That's a very small piece of the pie.

If you look at the blue portion, you will see about 40 percent or 13.8 million of the uninsured Americans who will receive insurance when subsidies are added for low-income populations.

After taking these two pieces of the pie, there is still an enormous red slice containing 22.3 million Americans who will remain without health care coverage. This piece of the pie is too big to think we can get away with passing any kind of legislation with less than universal coverage.

In my State of South Carolina 406,632 working people do not have health care protection. Over 97,000 children do not have health care coverage.

These people are no different from the millions of others in our country who work hard to make a living for themselves and their families. They deserve affordable health care insurance that can never be taken away.

In my district alone, there are 94,000 people from working families who have no health insurance. This means, almost 79 percent of all of the uninsured in my district are from working families.

On top of this astounding figure—of the lucky ones who have coverage—33,000 people living in the State of South Carolina lose their health insurance each month. Of the uninsured in

my district, 26,000 of these people are young children.

Madam Speaker, the uninsured are people just like you and me who may have unexpected medical emergencies and need attention in the middle of the night, the uninsured are persons who need preventive care, they are school-aged children who have ear infections, they are children whose required immunizations should be covered under their families health insurance plans.

Under a plan with universal coverage, 5,424 2-year-olds will have improved coverage for immunization in my district; 40,355 women will have better opportunities for breast cancer screening; 160,801 people will no longer have lifetime limits on their coverage, and, 84,632 people will no longer have preexisting condition exclusions in their insurance.

Madam Speaker, I remind you that these are real numbers, and there are real people behind the numbers.

I recently received this letter from a lady in Florence, SC. She is the mother of two children, one of whom has a pulmonary condition she has had since 3 months old. The daughter has never taken any medicine for her condition, nor does she require any special needs. In fact, she runs 3-5 miles a day.

This young woman's father purchased health insurance for their family while he was self-employed. However, the insurance offers no coverage whatsoever for their daughter, simply because of this preexisting condition.

This young woman is a college graduate, and doesn't have a full-time job yet. She maintains three part-time jobs—none of which offer her health insurance.

In other words, Madam Speaker, this is one of millions of deserving people who will gain health insurance with universal coverage. This is one of 1,142,949 South Carolinians with a pre-existing condition who will not be discriminated against any longer if we pass comprehensive health care legislation with universal coverage.

As this debate continues, we hear from a lot of people on each side of the argument. We hear about how the elderly will be affected, the young mothers and children, and many other vital sectors of our population.

However, I believe we often overlook the monetary affects that what we do or don't do will have on the so-called middle class, the working people that make up the core of America, the ones that are currently insured.

If you are a middle class, working taxpayer, making between \$20,000 and \$75,000 a year in the Sixth Congressional District of South Carolina—or any other Congressional district in the country, for that matter; and if we pass a plan which covers only 91 percent, such as that under the Cooper, Managed Competition bill, you can expect to see an increase in your yearly premium.



Let us take a look at the figures on this chart.

The columns represent changes in health care premiums, if we only do incremental reform, as many opponents of universal coverage are advocating.

You can readily see that the biggest increase in premiums is the column which represents those who make over \$30,000 but less than \$40,000 a year. And if you make between \$20,000 and \$30,000 a year, you can expect an increase of over \$200 per year in your annual premiums.

If you make over \$40,000 a year, but less than \$50,000, you will experience an increase of \$137 per year. Under this plan, you will only experience a decrease if you make less than \$20,000 or between \$75,000 and \$100,000 a year.

Now, I do not know about you, but to me and the people of my district, that could mean a car payment for those who make between \$30,000 and \$40,000 a year, or child care payments for those who make between \$20,000 and \$30,000 a year, and a college student's textbooks for those who make between \$40,000 and \$75,000 a year. In my district alone, this increase would hit 89,376 families. My fellow colleagues, I wager my bet that you have many people who fit into this average-American household category living in your districts as well.

This information, as you all can see, shows that the managed competition concept of health care reform delivers devastating body blows to middle-income Americans at almost every level.

If you are a middle-class, working taxpayer and we pass a health care reform bill with universal coverage, you can expect to pay less than you are currently paying for health insurance premiums each year.

Let us look at another chart, the other picture, if you please.

What you can readily see is that the same people who would see a dramatic increase in their premiums under the incremental reform plan would experience a large decrease in their annual premiums under universal coverage.

If you make between \$30,000 and \$39,000 a year, your savings could be as much as \$165 each year. Again, that's \$165 hard-earned dollars that you could save with universal coverage.

Under universal coverage, everybody in America making less than \$100,000 a year will experience dramatic savings.

And those making over \$100,000 a year would experience only a \$210 increase in their annual premiums.

Health care reform, without universal coverage, will mean significantly higher—not lower—health care costs for middle-class Americans who presently have health insurance.

By implementing universal coverage, the increase in average premiums is averted because, not only would the sick and medically needy be included in the insurance pool, but also the young and healthy people who don't require as much medical service.

By including everyone, the people who don't regularly use the insurance services drive down the premiums for everyone.

Just think of this concept in simple terms. If the only people in the pool are the elderly and medically needy who require excessive amounts of medical attention, the premiums will be high because these "high use" patients will be supporting the costs of others just like themselves.

However, if universal coverage is implemented, many more young, healthy people will be in the insurance pool. When this diversity is reached in the pool, the picture is quite different.

The low use people who rarely use medical services will cause the costs to drop dramatically because the total dollar amount of medical care required by all of those in the pool is much lower. When this happens, the premiums dramatically go down for all of those in the pool. That's the beauty of universal coverage.

Besides, without universal coverage, young, healthy people will opt out of the insurance market when premiums are raised, thus causing higher premiums for the medically needy who remain.

Also, without universal coverage, many employers who presently provide health insurance for their workers are likely to reduce coverage or stop coverage altogether.

With 9 out of 10 insured Americans currently receiving health care through their employers, we cannot afford to risk reducing their share of health care coverage. When dealing with the employer share of the costs, it is important to notice the significant savings, once again, by passing health reform legislation with universal coverage.

Madam Speaker, we continually hear people from all walks of life ask: "Where is the promised middle-class tax cut?" I maintain it is right here in health care reform with universal coverage, and those of us who fail to recognize or acknowledge it are either shortsighted or a bit disingenuous.

The middle class of America is deserving of universal coverage and the men and women of this Congress, in my opinion, are duty-bound to grant it.

Madam Speaker, I thank you for allowing me and my colleagues the time to participate tonight in these special orders. As we contribute to this ongoing conversation for the Chamber where decisions affecting each and every one of us will be made in the coming days.

The mother who wrote me a letter from my district which I quoted from earlier, reminded me the America people hear lots of talk about health reform from both sides of the aisle—but she and her families and many others are ready to see some concern shown and pass universal health coverage.

Madam Speaker, with that I remind you and my colleagues once again, universal health care coverage which can never be lost should be guaranteed to every American, because there is no such thing as a lifetime guarantee of good health.

□ 2050

Madam Speaker, I have with me tonight some others of my colleagues who would like to participate in this special order.

First I want to call upon the president of the freshman class for the first session, the Honorable EVA CLAYTON of North Carolina. Mrs. CLAYTON is going to share with us some of her feelings on the crime bill and what we ought to be doing. She is going to be followed by EDDIE BERNICE JOHNSON, the congresswoman from Texas, who, as many know, is a professional nurse. She is going to share with us some of her feelings about health care, and then we will move to Congressman HINCHEY, who will talk about whatever he wants to, but I think it will be health care.

I now yield to the gentlewoman from North Carolina [Mrs. CLAYTON].

□ 2100

Mrs. CLAYTON. Madam Speaker, I appreciate the fact that the gentleman from South Carolina [Mr. CLYBURN] has organized this special order, and, Madam Speaker, facts and figures have been tossed around during our debate on the crime package ad nauseam, but facts and figures are not the issues at hand here—the issues are the amount of crime and the number of young Americans at risk and how to fight crime.

In regard to crime, there are those in this Chamber that would like to have you believe that locking people up and throwing away the key is the toughest and most effective means of curbing crime, while prevention programs are just a waste of taxpayer dollars.

It is a myth that this crime bill has allocated most of its funds to social programs—more than \$7 out of every \$10 dollars in the bill is for law enforcement, prisons and detention facilities—not social programs.

Those same members would also have you believe that the Midnight Basketball Program especially is the most egregious waste of Federal money. That is simply not the case. For example, a midnight basketball league was awarded a Point of Light by then President George Bush in 1990.

A professor at the University of North Carolina, Chapel Hill, was kind enough to provide me with a copy of just-completed study on a Milwaukee midnight basketball league. The facts are: 74 percent of the participants feel that there are not enough recreational opportunities for children, teens, and young adults; 65 percent of the participants in the program believe that the

league is helping to reduce crime in the community; and 78 percent of the participants feel that midnight basketball is a much-needed recreational outlet for young black men.

It has been documented that black youths under the age of 18 are the group most frequently involved in violent activity. Why should we not reach out to those youngsters at risk?

Many of the proposed prevention programs contained in the crime bill are already implemented and working on the State level.

According to the North Carolina Governor's Commission on Crime: The three different boot camps are working; the youth employment and skills program incorporated into the Cities in Schools Program is working, and anti-crime youth councils are working.

These programs are making a significant difference. So why shouldn't Federal funds be allocated to programs that work? Being tough on crime and prevention programs are not mutually exclusive. It is possible to be strong, smart and tough on crime and support prevention.

It makes much more sense to nip crime in the bud through prevention programs, to get those young adults before they become criminals and are locked into the criminal justice system.

If we head the young adults at risk off at the pass through prevention programs, it just might be possible to help them to be productive, contributing members of society instead of people supported by society.

Mr. CLYBURN. Madam Speaker, I thank the gentlewoman from North Carolina [Mrs. CLAYTON] for that very insightful analysis of the prevention side of our crime bill.

□ 2110

I think that you are right to raise an old adage that so many of us were raised on. I find it very strange sometimes that we tend to go off and get all of these degrees and all this learning, and really what is basic is what our grandparents taught us: An ounce of prevention is, in fact, worth a pound of cure. And if we can just apply that to those simple, everyday things that we do here in this hall, I do believe that we would come with much better legislation. And that is something that I hope we will apply to this crime bill. Thank you so much for your insight.

Let me at this time yield to the gentlewoman from Texas, the Honorable EDDIE BERNICE JOHNSON, who will talk to us a little bit about the second aspect, health care.

Ms. EDDIE BERNICE JOHNSON of Texas. Thank you, Mr. Leader of the hour, and Madam Speaker.

To my colleagues, let me just comment very briefly on crime before I move to health care. I represent District 30 in Dallas, TX. Our statistics in-

dicate that crime is going down, but you cannot tell that by the newspapers. Every day most of the headlines have to do with crime, and they really are crimes committed by young people.

School has only been open less than 2 weeks now, and already teachers have had guns in their faces. They found a gun arsenal under the side of the building. It is overwhelming, but we must do something about it.

The presence of all these weapons and drugs and gangs will continue to terrorize our communities and our schools, unless we take a hand to do something about it. And if we do not put a hand in to alter this activity by young people, they will commit crimes with these weapons. That is a proven fact.

We are no longer safe in our homes. We do not even use parks anymore for what they were intended because no one feels safe walking through parks.

We simply must do something about crime, and it must be balanced.

We have to prevent, as well as punish and then treat, because we have learned that 70 percent of the crimes committed are committed under the influence of drugs. All of us know that the influence of drugs simply does not just disappear. It must be a treatment modality, and there must be after-care, and then there must be activities that will prevent the need to fall back into a gang and that environment that starts this cycle again and causes what we call recidivism.

We simply must do something about what is going on. We have that responsibility. We are responsible to the citizens of this country, and we must do something about it.

We must fund the additional police. You know, I used to fear policemen, before I got to know who they really were. Now I would not live in a neighborhood, on a block, that I did not feel had some attention from the police. They are really our friends. But we have put them out there with not much protection as well. We must have more, and they must be trained properly, and we must supply that need.

Our communities, our inner-cities, and our rural areas, are overcome with this influx of activity that they have not been accustomed to dealing with. The money that will help put the additional cops on the street, an almost 20-percent increase in the Nation's 504,000 local police officers, will go a long way in addressing this area.

I cannot understand why there is so much opposition and so much rhetoric and so much demagoguery surrounding the bill that will address these issues. It is unfortunate that the NRA has so many people hostage. It is almost like holding them hostage with a gun.

You know, I have noticed television recently with Charlton Heston, a very well-known popular actor, but, unfortunately, he does not have a clue about

crime and how to fight it. His commercial, sponsored by NRA and the Republican party, is not only unbelievable, it is filled with untruths about funding police officers. It is unfortunate that we cannot tell the real truth to the public. But they are not fooling them. It is clear to me they understand very well about what is going on in their own communities.

So when we say all of this and we avoid the truth, we are simply fooling ourselves. The ban on assault weapons has been endorsed by every major law enforcement group in the country, and police across America report that semiautomatic weapons are the weapons of choice for drug traffickers and street gangs. There is really no real legal use for all of these handgun assault weapons. We must stop the flow. And the only way we can do that is take on our rightful responsibility.

People across America, police officers, ministers, students, are pleading for us to give them some attention.

You know, in my district was a 5-year-old boy sitting on his grandmother's porch one Sunday afternoon eating ice cream, and a stray bullet took his life away. And I received a letter from his aunt recently that pleaded for something to be done. She said I will never forget seeing my nephew. And more than that, I see my son every day, who is afraid every time he moves around. He will not go on the porch. He is afraid to go to school, because all he can think about is his cousin sitting innocently eating an ice cream cone and glancing up to take his last glance at his parents, and then being hit by a bullet and his life snuffed away.

I appreciate my colleague taking this time to address the issue of crime, and I would encourage all of my colleagues to let us have a swift passage of the crime bill. I do not agree with everything that is in the crime bill. Clearly no legislation that we pass do I agree with every bit of it. But that is the process we are in, and it is called a democracy.

Madam Speaker, I would like to include a statement by the African-American religious leader who supports the crime bill.

#### STATEMENT OF AFRICAN-AMERICAN RELIGIOUS LEADERS

Washington—The White House today released the following statement by African-American religious leaders supporting the crime bill.

"In the words of an African proverb 'It takes an entire village to raise a child.' We believe there is no more important responsibility of society than to raise its children to become upstanding adults. Parents and families must shoulder the burden of this duty, but all of society—including government—must pitch in. That is why we support the President's crime bill.

While we do not agree with every provision in the crime bill, we do believe and emphatically support the bill's goal to save our communities, and most importantly, our children.



We believe and support the \$8 billion in the bill to fund prevention programs such as grants for recreation, employment, anti-gang and comprehensive programs to steer our young people away from crime.

We believe in drug treatment to help get federal and state inmates out of the cycle of dependency.

We believe in programs to fight violence against women.

We believe in banning assault weapons, and preventing these deadly devices from falling into the hands of criminals and drug dealers.

We believe in putting 100,000 well-trained police officers on the streets of our most violence-plagued communities and urban areas.

We believe in that 9-year-olds like James Darby of New Orleans, who was killed by a stray bullet only days after writing a plea to President Clinton to stop the violence, must have the opportunity to live and learn and grow in safe, decent communities.

For all these reasons, we support the crime bill and we urge others to join us in this crusade."

Charles Adams, National Progressive Baptist Convention, President, Detroit, Michigan.

Bishop H.H. Brookins, AME Denomination, Los Angeles, California.

Rev. Dr. Amos Brown, Third Baptist Church, San Francisco, CA.

Bishop E. Lynn Brown, Christian Methodist Episcopal, Los Angeles, California.

Rev. John A. Cherry, Full Gospel AME Zion Church, Temple Hills, MD.

Rev. Howard Chubbs, Providence Baptist Church, Greensboro, N.C.

Father George Clements, The Alliance for Rights and Responsibilities, Washington, D.C.

Bishop J. Clinton Hoggard, AME ZION Church, Washington, DC.

Rev. John Doggett, Superintendent, United Methodist Church, St. Louis, MO.

Rev. Jerry Drayton, New Bethel Baptist Church, Winston-Salem, N.C.

Rev. Walter Fauntroy, New Bethel Baptist Church, Washington, D.C.

Bishop Louis Ford, Church of God in Christ, Chicago, Illinois.

Bishop William Graves, Christian Methodist Episcopal Church, Memphis, Tennessee.

Rev. Joe Hardwick, Praises of ZION Baptist Church, Los Angeles, CA.

Rev. Calvin A. Harper, Morning Star Baptist Church, Cincinnati, OH.

Bishop Fred James, AME Denomination, Washington, DC.

Dr. T.J. Jemison, President, National Baptist Convention USA, Baton Rouge, LA.

Rev. E. Edward Jones, Galilee Baptist Church, Shreveport, LA.

Rev. Odell Jones, Pleasant Grove Baptist Church, Detroit, Michigan.

Rev. William A. Jones Jr., Bethany Baptist Church, Brooklyn, NY.

Rev. W.B. Lewis, President, North Carolina General State Baptist Convention, Raleigh, NC.

Bishop S.C. Madison, United House of Prayer, Washington, DC.

Bishop Haskell Mayo, African Methodist Episcopal, Fourth Episcopal District, Chicago, Illinois.

Rev. Randall McCaskill, Concerned Black Clergy of Philadelphia, President, Philadelphia, Pennsylvania.

Dr. John Miles, Morning Star Missionary Baptist Church, Kansas City, Missouri.

Rev. James E. Milton, Southern Baptist Church, Cincinnati, OH.

Rev. Dr. Frank Pinkard, Evergreen Baptist Church, Oakland, CA.

Bishop Norman Quick, Church of God in Christ, New York, New York.

Dr. W. Franklyn Richardson, General Secretary, National Baptist Convention USA, Mt. Vernon, NY.

Joseph L. Roberts Jr., Ebenezer Baptist Church, Atlanta, GA.

Bishop J.H. Sherman, Church of God in Christ, Charlotte, North Carolina.

Rev. Dr. E.E. Stafford, Mt. Tabor Baptist Church, Los Angeles, CA.

Rev. Charles Stith, Union United Methodist Church, Boston, Massachusetts.

Bishop Frederick Talbot, African Methodist Episcopal, Arkansas/Oklahoma.

Dr. M.T. Thompson, Berkeley Mount ZION Baptist, Berkeley, CA.

Wyatt T. Walker, Canaan Baptist Church, New York, NY.

Bishop George W. Walker Sr., AME Zion Denomination, New York, NY.

Bishop L.T. Walker, Church of God in Christ, Little Rock, Arkansas.

Dr. Kenneth Whalum, Olivet Baptist Church, Memphis, Tennessee.

Rev. Frederick Williams, Episcopal Church of the Intercession, New York, NY.

Bishop Milton Williams, AME Zion Church, Washington, DC.

You win some, and you lose some. But you try to do the best you can for the people of this Nation.

Now, Mr. Leader, I want to talk a bit about health care, and just a bit, because that is my profession. I could talk all night on health care. I want to talk a little bit about what was talked about earlier, and that is the overburden on businesses.

Mr. Leader, I believe that the Gephardt bill is giving an opportunity to businesses to take on their rightful responsibility. You know, I am a small business owner, and I could not afford a policy. After I paid worker's compensation in Texas, I could not afford a policy to cover my employees. I do not have more than 11. But with the insurance approach that is being offered by the Gephardt bill, an opportunity for small businesses to be able to afford to offer insurance coverage for their employees is the best opportunity that my small business has had.

You see, we understand clearly that when people have access to insurance, they will go for the preventive measures, they are in better health conditions, they are better workers, and they are more stable. Because when they come on to a job that does not offer insurance, they are constantly looking for another job. And they will not take preventive care, because they cannot afford it. All of us know that prevention is much less costly than sick care.

I am standing here because of prevention. You know, that is why I believe so much in research. I had a pap smear over 30 years ago that was positive, and I had surgery. It was a routine physical examination. But if I had not had that surgery, if I had not had access to going for a routine physical without it costing me more than I was making, I would not have had the opportunity to keep myself in good health by having

early detection, early surgery, and then back to work.

If I had not had that surgery, I would have probably had to go through a long modality of some kind of chemotherapy, going through lots of misery, putting a lot of strain emotionally on my family, and then not being able to perhaps go back to work, and then maybe losing my life at a time when my young son was less than 3 years old. Then he would have had to grow up without a mother.

There is real value in having access to health care, health care coverage, for preventive measures.

□ 2120

Even young children that do not have immunizations against measles will cost. For every dollar that an immunization costs, we save \$14, because if they do not have them, they are subject to be blind and all kinds of complications and side effects that might come from having measles.

It is so simple to me because I have lived the life of watching people be sick and be well, depending on what is offered to them. Clearly, we must move rapidly to address the issue of health care coverage for all Americans, and we certainly ought to see that the people who are working have an opportunity to have access to affordable health care coverage.

We are attempting to do that, and we hope that the big insurance companies and the big businesses that hire lots of people that do not pay them very much will not spend so many millions of dollars trying to sway the public away from health care reform. We simply must have it.

Mr. CLYBURN. Madam Speaker, I thank the gentlewoman so much for her very comprehensive talk on both crime and health care. I thought that crime would be 1 minute, but I wish she had taken the whole time for that since that is the most immediate thing upon us.

Let us move now to our distinguished colleague, the gentleman from New York [Mr. HINCHEY], for his remarks.

I yield to the gentleman from New York [Mr. HINCHEY].

Mr. HINCHEY. Madam Speaker, I really appreciate the opportunity to spend this time with you and appreciate your yielding this time so that I can engage in this discussion with you about the two issues confronting the American people and the two issues which we are discussing this evening, which are, of course, our efforts to deal with the problems of crime as well as our efforts to ensure that every American has adequate health care coverage.

I would like to touch just very briefly on both of those subjects, following your example, but doing it in a much more abbreviated form. I think this

crime bill, although as has been mentioned by previous speakers, it contains some elements which are questionable and, frankly, with which I do not agree, nevertheless, on balance, this crime bill makes an extraordinary contribution to our efforts to deal with the problem of crime in this country.

It does so, of course, in a variety of ways. It does it by increasing the number of police officers who will be available in our communities, whether those communities are urban communities or rural communities, such as the ones that you and I represent for the most part, although I do have some urban areas in my district as well.

The additional police officers which will be available through this bill will be available in both rural and urban communities. That, of course, is a major factor.

But quite frankly, the portion of the bill which intrigues me the most and which I think, frankly, is the most valuable is that which focuses on prevention, because as has been said here a number of times already this evening, prevention is much more appropriate, much more efficacious, it works much better than dealing with the problem after it occurs.

I learned that old axiom at my mother's knee, just as did you, an ounce of prevention is worth a pound of cure. That is true with regard to health care as it is true with regard to many of the kinds of social problems we face in this country, including and specifically, perhaps particularly, the problem of crime.

In the connection of this bill with its efforts at prevention, we have heard a lot of criticism about that particular aspect of the bill. As you mentioned in your address a little bit earlier, that aspect of the bill has been labeled pork. One wonders why. Because it is not that at all. It is simply an effort to direct resources at a serious problem in a way that is appropriate so that it can be dealt with effectively.

One of the aspects of this attempt at prevention which has gotten the most criticism is so-called midnight basketball. I would just like to read a statement that was made a couple years ago, in 1991, by President Bush. He said then, in 1991, President Bush said this:

The founders of the midnight basketball program in Hyattsville, Maryland contribute to the struggle against crime and delinquency. This country is finally catching on to the fact that whenever drugs are involved, everybody loses. But here everybody wins. And some may get better at basketball, but everyone gets a better shot at life, every participant.

That particular point of view, I think, represents a much more enlightened attitude about the way that we need to deal with the crime problem that has been expressed by many of the Members of this House who are in the minority party in this Chamber.

I think that it is unfortunate that they did not learn more from President

Bush while he was in office about this particular problem, because I think what he said there is really on target.

Prevention is what is important. If we spend a little bit of our energies and resources on preventing crime, then we are going to have to spend a lot less in the future on dealing with the problems of crime after they occur. I think that ought to be obvious to everyone.

I would like to turn for a couple minutes to the problem of health care. I would like to begin by saying that I was fascinated by the discussion that took place here earlier this evening, which was led by the deputy whip of the minority party, the gentleman from Pennsylvania, when they attempted to deflate the Gephardt health care bill, a bill which will provide universal health care coverage to all Americans.

Frankly, I could not help thinking that those Members who were trying to oppose universal health care coverage for all Americans here in this House this evening, as they have been for weeks and months and, frankly, over the course of the last year, that those folks who currently inhabit this House and who are opposed to universal health care are in a real way the philosophical and political descendants of a previous group of people who tried to defeat the passage of Social Security in 1935, who tried to defeat the passage of benefits for returning veterans after the Second World War, who tried to defeat the passage of Medicare in 1965. And some of the arguments that we have heard in this House against universal health care coverage resound in a very familiar way back and harken back to the kinds of arguments that were made against Social Security and against the GI bill and against Medicare coverage, health care coverage for older people in this country.

It is the same attitude. It is the same philosophy. And it is the same arguments that were used against those very important programs. But you can be sure that not one of them would have the audacity to stand up today and oppose Social Security or the GI bill or Medicare. No, they focus their attention now on what we are trying to achieve for people in this decade, the decade of the 1990's, the last decade of the 20th century, to try to ensure that every American, regardless of their stature, regardless of their station in life, regardless of their past experiences, regardless of what will happen to them in the future, will have good, solid quality health care.

I would like to read to you, if I may, an excerpt from a letter than I received recently from a constituent of mine.

He said, "Dear Congressman Hinchey, I am one of many Americans, after 32 years of employment with one company, terminated due to 'corporate downsizing.' As of today," he says, "I must convert to an individual health

conversion policy. Under COBRA," which was available to him, of course, after he was laid off as a result of the corporate downsizing of his company, "I was paying a premium of \$848 per quarter. My premium now," now that COBRA has expired for him, "will be \$1661 per quarter. This is a 96-percent increase. I have been insured by the same company for almost 34 years and have had no major health problems. I am now facing one of the hardest decisions of my life, to pay the mortgage payment or the health insurance premium. This would not be a decision that citizens of most other countries would have to make. What has happened to the American dream?"

□ 2130

We talk about the 40 or so million people currently without health care in this country, but we ought to also recognize that every single day in this country someone else, large numbers of people, lose their health care coverage. They fall into the kind of condition that this gentleman finds himself in currently.

After paying into an insurance company for 34 years, without ever having any problems of health care, after having worked for a company for 32 years, giving his energy, his sweat, his intellectual and physical resources to that company, he has now been laid off, now been put out in the street, and he has to worry about whether he is going to spend what little resources he has left to keep a roof over his head for himself and his family, or use that money to pay the premiums on his health insurance so that if he gets sick or someone else in his family becomes ill, that they at least will have health coverage.

As he observes, that decision would not confront any other person in any other advanced, civilized country on this planet, and it ought not to afflict citizens of this country, either. We need to pass universal health care. We need to do it this term.

We need to have the courage and foresight that our predecessors in this House had when they passed Social Security, when they passed the G.I. bill, and when they passed Medicare. Those ought to be the banners which we follow. They ought to lead us on to overcome the unenlightened opposition which is offered by the minority party in this House, not all of them, but unfortunately, many of them, and which was exemplified by the discussion we heard earlier this evening.

I thank the gentleman very much for giving me this opportunity, and I think it is important that we get on with this work.

Mr. CLYBURN. Thank you so much, Mr. HINCHEY, for your contributions to this special order tonight. I think that on both counts they were very enlightened.

Madam Speaker, I would like to say, I do not think we have to go back to



Social Security and to Medicare and the G.I. bill in order to see the short-sightedness that we are getting from the other side. In fact, you need to only go back 1 year.

In fact, the same people who we heard here tonight talk about the dangers of the job losses that we will get if we do something about health care, those are the same people I think I heard in August of last year, who told us that if we pass the President's budget, that the economy would end up in the ditch; that in another year, we will all be back here doing something to get the economy going again, trying to bail the Nation out.

The fact of the matter is that anybody who can read and anybody who can see and feel, and especially those people who are going to work every day, we see that what has happened is the creation of now over 4 million new jobs. We see home building increasing, and we see that it is working.

In fact, I think I read, I think it was Al Hunt's column in the Wall Street Journal, and nobody can call the Wall Street Journal any kind of a fan of this administration or the party we represent, but the fact of the matter is, that they say it is working. So those people who last year said that we are going to have all these dire consequences, what we are finding this year is that they are passing it off, saying that this is a lucky President, and we are a lucky party.

I always learned that the harder you worked, the luckier you get. The fact of the matter is, this President works hard; he is visionary. This party is working hard to show leadership, and I think that you are right to talk about the history, but you do not have to go back that far.

Mr. HINCHEY. Will the gentleman yield?

Mr. CLAYBURN. I yield to the gentleman from New York.

Mr. HINCHEY. I just wanted to say how right you are. I remember that column on the op ed page of the Wall Street Journal a week or 2 ago by Al Hunt, and he made the point that you have just made so well: that those persons who are giving the same kind of argument about job losses with regard to the passage of health care, were trying to argue with us over a year ago when we passed the President's economic program, back last year, that we would see those same kinds of job losses, and we would see utter destruction of the economy coming about as a result of the passage of that economic program which was designed to reduce the annual budget deficit, and has succeeded enormously, and beyond even our expectations.

The budget deficit is down now substantially below even where we expected it to be as a result of the passage of that program; no job losses. As a matter of fact, there have been more

jobs created across the country in the last 18 months than were created in the previous 4 years.

So the same kind of scare tactics that they are trying to use now against health care were used against us and against the American people a year ago when we, fortunately, had the ability as a party, without one vote from the other side, to pass an economic development program which has succeeded in reducing the annual budget deficit substantially, and placing this country and its economy back on a steady, level footing once again.

Mr. CLAYBURN. Thank you so much for joining me tonight.

#### EXAMINING THE CENTERPIECE OF THE CRIME BILL

The SPEAKER pro tempore (Mrs. THURMAN). Under a previous order of the House, the gentleman from Illinois [Mr. MANZULLO] is recognized for 30 minutes.

Mr. MANZULLO. Madam Speaker, crime is serious. It is very serious in this country. We have been wrestling with a crime bill for some time in the U.S. Congress. It has been touted that the centerpiece of the crime bill are the cops on the beat and the prisons.

Tonight I want to take a look at this in depth, to describe exactly what this means. The crime bill states on its face that there will be 100,000 new cops on the beat, and they will be involved in community policing, but nowhere is community policing defined. The bill states what the cops must be doing. They must be involved in community policing, but we wrestle with the definition, and then find out in Title I, part Q, section F, "Technical Assistance," subparagraph 2, model, which states, "The Attorney General defines what is community policing," how it will be implemented. This means a Federal bureaucrat decides what a community means, as opposed to a community.

For example, cities may use the funds in the following ways: They can go to enhance police officers' conflict resolution, mediation, problem solving, service, and other skills needed to work in partnership with members of the community; to develop new technologies; to assist State and local law enforcement agencies in reorienting the emphasis of their activities from reacting to crime to preventing crime; and to develop and establish new management administrative and managerial systems to facilitate the adoption of community oriented policing as an organization-wide philosophy.

Madam Speaker, this means that a Federal bureaucrat can tell local police officers how to resolve conflicts and solve problems. It also means a Federal Bureaucrat could tell a community that instead of apprehending criminals, it should be preventing crimes from

taking place. Granted, both are necessary, but why should the Federal Government be involved in telling the police force what it needs to do?

Second, the bill sets up a quota system for hiring police. Section 1702(c)(11) states the hiring guidelines by the Attorney General must "provide assurances that the applicant will, to the extent practicable, seek, recruit, and hire members of racial and ethnic minority groups and women in order to increase their ranks within the sworn positions in the law enforcement agency."

That quota section speaks for itself.

Third, the Clinton crime bill provides only seed money for a community that wants to hire police officers. Here is the irony. For a community to get a grant to hire police officers, it must show a specific financial need. The grant runs out in equal stages over 5 years.

However, a community must also show that as a grant runs out in steps, the community must be able to afford to keep the cops permanently. This does not make sense. A community applies for a grant because it needs the money, but must show that as the money runs out, it has the financial ability to continue the program.

□ 2140

If a community has the money in the first place, then it could not receive the grant, yet it has to show it has the money in order to continue the program.

Fourth, the actual amount of money allocated in the crime bill for cops will hire 20,000 at most, not 100,000 cops. The reason is in the application. The Clinton administration itself estimates it will cost \$75,000 per year to hire one cop. So if you stretch out the money allocated for the program over 5 years, it comes out to \$14,500 per cop. That is why we have police officers all the way from down in Florida from a city that employs 17 police officers, to say that we are in a tight budget now, so why should we hire more policemen on this program when the money will be whittled away in a short period of time, essentially leaving us with an unfunded mandate? These are the words of Terry Chapman, acting police chief of the Brooksville, FL police department.

And Paul Logli, the State's attorney for Winnebago County, IL, which I represent, the county that leads the State in crime, and he is saying we have all these programs and yet the money that is held out is just seed money and after a few short years, it is reduced on a periodic basis, still leaving the city and the municipalities involved with the prospect of raising all this money, essentially an unfunded mandate, to keep the programs going.

Who runs community policing? Do local law enforcement agencies or social agencies? We have probably never

heard this argument before. The application and the proposed statutory language show how little emphasis is placed on the crime rate in a community.

Here are some of the 11 mandatory requirements to get a grant. The police department has to have a long-term strategy that is devised not by the police but by "community groups and appropriate private and public agencies."

What does that mean? Those words are not defined. It means the Federal Government is saying the sheriffs and chiefs of police do not know how to use police officers but "community groups and appropriate private and public agencies"—which are never defined—do. And the police department has to identify related governmental and community initiatives which complement or will be coordinated with a proposal.

This is the United States Congress empowering the Attorney General and bureaucrats to micromanage local police departments. This application process demonstrates the hoops through which a municipality must jump to get the money that already belongs to the citizens.

Madam Speaker, there is no Federal money, only money provided by the ordinary taxpayer that is sent to Washington, legally shrunk and then waved by a Federal bureaucrat in the face of local officials who fight like heck to get back money that already belongs to them.

Sixth, to implement the cops on the beat, the bill states the Attorney General shall have access over the purpose of audit and examination to any pertinent books, documents, papers or records of a grant recipient under this part and to the pertinent books, et cetera or records of State and local governments, persons, businesses and other entities that are involved in programs, projects or activities for which assistance is provided under this part. "The Attorney General may promulgate regulations and guidelines that carry this out."

This is called red tape. This conceivably means that a businessperson who has a contrast with the local or State police could have their entire operations audited by the Federal Government if the law enforcement agency participates in this program.

What is the other half of the centerpiece of this crime bill? Prisons. The Clinton crime bill claims that \$10.9 billion will be spent on building prisons. But a closer look shows that \$2.2 billion is authorized but not funded. \$8.7 billion would then be left allegedly for building prisons. However, \$1.8 billion of that goes toward refunding States incarcerating illegal aliens. That leaves the bill with a total of \$6.5 billion for prison construction. Or is it really for prisons?

Title 2 Prisons authorizes funding with the following language:

The Attorney General may make grants to individual States and to States organized as multistate compacts to develop, expand, operate or improve correctional facilities and programs including boot camp facilities and programs and other alternative confinement facilities and programs that can free conventional prison space for the confinement of violent offenders to ensure that prison space is available for the confinement of violent offenders and to implement truth-in-sentencing of violent offenders.

At this point it appears the Clinton crime bill will allow the States to spend the prison money the best way the States see fit. However, a further reading of the bill shows the Federal strings attached to it. For example, if a State qualifies for assistance to build a prison, it must still come up with 25 percent of the funding.

The Federal Government must approve the manner in which the State prison is operated or in which the local jail that applies for these grants is operated.

From Section 20101, Grants for Correctional Facilities, B-4, the States must have a "comprehensive correction plan which represents an integrated approach to the management and operation of correctional facilities and programs which include diversion programs, particularly drug diversion programs, community correction programs, prison screening, security classification systems, appropriate professional training for corrections officers in dealing with violent offenders, prisoner rehabilitation and treatment programs, prisoner work activities, jobs skills programs, educational programs, a pre-release prisoner assessment to provide risk reduction management, post-release assistance and an assessment of recidivism rates."

This means once the Federal Government gives money to a State to build that prison or to a locality to build a jail, then the Federal Government will determine through approving the comprehensive correctional plan the following: These are the new powers, the nine new powers of the Federal Government when it comes to these prisons.

No. 1. The Federal Government will determine, No. 1, how to manage and operate a correctional facility.

No. 2. The Federal Government will determine all the drug programs.

No. 3. The Federal Government will define and determine and make sure they are enacted a "community corrections program."

No. 4. The Federal Government will determine the security systems of the State and local secured facilities.

No. 5. The Federal Government will set forth the requirements and oversee and approve the training of officers who work with violent offenders.

No. 6. The Federal Government will determine the prisoner rehab programs.

No. 7. The Federal Government will determine prisoner work activities. That is, the daily life of a prisoner.

No. 8. All job skills programs and educational programs must be approved by the Federal Government.

No. 9. The Federal Government must determine the prisoner pre-release programs. That means that the strings that are attached by the Federal Government as the price for a State receiving money which already belongs to it and as the price that a local government must pay to receive money that already belongs to it is that it is turning over the local correctional facilities and the State correctional facilities to the fiat of the Attorney General and her bureaucrats.

That is not all of the prisons program. There is something called the Task Force on Prison Construction Standardization and Techniques, Section 20406 C-1.

The Federal Government now determines how the State prison is built or how the local jail facility is built and dictates the materials. This task force is comprised of Federal bureaucrats and engineers, architects, construction experts to come up with a performance requirement. The task force shall work to "establish or recommend standardized construction plans and techniques for prison and prison component construction."

That is the money that goes to a local sheriff that wants to expand his jail. That is the money that goes to a Governor that wants to expand the prison system. The price for it is the federalization of all correctional facilities that receive this money. Arguably you do not have one comprehensive plan for part of a jail that does not receive Federal money and another correctional plan for the other part that does receive the Federal money. That means the Federal Government will now be in the business of running all State and local prison and jail facilities. That has never been brought out in this Congress before. The reason is in the reading of the bill where the red tape and the strings comes, somebody in Washington has made a determination that the Attorney General knows better than all 50 Governors, than all 50 State legislatures, than every single sheriff and every single county administrator in the United States.

□ 2150

That is the centralization of power in the Federal Government, and that is what is wrong with the two very centerpieces of this Clinton crime bill.

How do we fight crime? We passed today a measure, very quietly passed by an overwhelming majority in the grants and the appropriations for Commerce, State and Justice. We were contacted several months ago by the State Line Area Narcotics Team that operates in the counties, the rural areas of Winnebago County and Stevenson County, Boone County and up into one county in Wisconsin called Monroe. We



were told that this group called the State Line Area Narcotics Team, SLANT, that the money that they were receiving under the Edward Byrne fund that coordinates all of the different agencies to fight narcotics on the local level, that this program had been eliminated in the budget plan of President Clinton, and it became our passion in my office to work very diligently and very hard to restore that, because the Federal Government's role in crime is very limited. Think about it: Interdiction of drugs at the borders, working with multijurisdictional task forces on following those drugs as they come over the borders and go into the hands of the individuals. Here was an area where if we could stop the flow of drugs into Winnebago and Boone and Stevenson County, if we could do that, then Winnebago County, IL, which leads the State in violent crimes, Winnebago County, where 65 percent to 75 percent of the violent crimes are the result of people involved in drug trafficking, whether they are trying to buy the drugs or sell the drugs or being used for their ingestion, or being shot as a result of the underworld activity of drug traffickers. And we wrote letters and succeeded to get that money put back in.

Today I talked with Capt. Earl Hernandez of Rockford, talked to him on the telephone and I said, "Captain, today the crime bill was passed. There was no fanfare. Today this crime bill was passed called, in a not very glamorous term, the annual appropriations bill to fund the Departments of Commerce, Justice and State."

That bill allows the hiring of 400 new FBI agents, the transfer of some 600 desk agents to the field. This bill increases funding for the Drug Enforcement Agency. The appropriation will allow the DEA to hire 300 new agents. The increased funding for the FBI and DEA will allow them to hire up to their 1992 levels, making them more effective crime fighting tools. And the bill increases funding for almost all areas within the Justice Department, the Judiciary, from the U.S. Marshal Service to the courts of appeals, district courts and other judicial services. The report expands the Edward Byrne formula grant program.

Programs funded by the Byrne program include State and local prosecution initiatives, innovative programs that attack drug use and violent crimes and multijurisdictional programs, an example being State and local police officers working with State troopers.

As we talked, Captain Hernandez said, "Congressman, thank you. Thank you for voting to give us local law enforcement officers the tool of our choice to go after these drug people."

Madam Speaker, look at the results of what this organization has done in 4 years, in 4 years working in three

counties, mostly in rural areas. The total number of new drug investigations, 708; total of arrests for delivery of cocaine, 253; total arrests for possession of cocaine, 135; total of arrests for delivery of cannabis 114; total of arrests for possession of cannabis 78. Listen to this: Cocaine seizures in grams, 44,260; street value of cocaine seized, \$10,622,400. Cannabis seized in grams, 542,000; street value of cannabis seized, \$4,340,000.

The report from Captain Hernandez says none of these cases, 708, would have been investigated, none of these people, 580, would have been arrested, none of the cocaine, 44,260 grams or cannabis 542,547 grams, would have been accomplished without this multijurisdictional effort that we call SLANT.

The bill that passed today will not make the headlines, and the Captain Hernandez will not be quoted in newspapers, not really. They are the heroes. They are on the front lines. They see exactly what is going on.

You know it is amazing that it is people like this, people like this that have the opportunity to know firsthand. These are the ones that should be defining exactly what programs that they need.

If you take the crime bill and break it out in its most simple terms and say if we are going to give money to the local and State law enforcement authorities, then block grant it out. Let the Earl Hernandezes determine how to spend the money. Yes, let Terry Chapman, acting police chief of Brookville, FL Police Department which employs 17 police officers, let him determine how that money is used. And yes, let us take a look at Paul Logli. Paul Logli is the State's Attorney, Winnebago County at large, the county that leads the State in terms of high crime. And Paul Logli says yes, we need cops, we need the system fixed. There are plenty of things that we need, but we do not need the Federal Government to tell us how to run our law enforcement agencies. We do not need the Federal Government determining the hoops through which we must jump. We do not need these things. We simply need to have the ability to use the money that already belongs to us.

Madam Speaker, that is really what the crime bill is about. When I was in law school, actually undergraduate at the American University here in Washington, there was a professor of constitutional law who used to ask the same rhetorical question. I think he got it from the ancient days in Greece when parading before the courts of justice the lawyers would carry these signs. It was actually the Latin courts in Rome. Written on these signs would be these words in Latin: Cui he produs, in whose interest is this trial being directed.

□ 2200

And this professor of constitutional law used to ask the same rhetorical question: What is the locus of sovereignty? And I sat there for months before I came to the realization that here was a man earnestly seeking to define the role of the Federal Government in its relationship to the States and the localities vis-a-vis the tender working relationship of the inner workings as it were of the 9th and 10th amendments of the U.S. Constitution. And after prodding with that question, "What is the locus of sovereignty," I came to the conclusion that the locus of sovereignty is not the State Government, it is not the local government, it is not the Federal Government. The locus of sovereignty is the people. It is the people that elect me to represent them, the 600,000 people in the 16th Congressional District of Illinois and the 600,000 or so people in the 434 other congressional districts. But ultimately it is the people who are sovereign, because they determine the governments, and they can bring down a government every 2 years through turning over of a majority or all of the Members of the House of Representatives.

That constitutional argument rings true today. What is the locus of sovereignty? And the issue is who knows best about how to fight a local problem. Does the Attorney General? Certainly not the CIA with the horrible Ames scandal, with a Benedict Arnold living in its midst, driving a fancy sports car, living in a half-million-dollar home, spending money like crazy to pay off credit card bills, in charge of a sensitive area of counterintelligence in Europe, nobody checking on him, a man personally responsible for the deaths of at least 10 people worldwide.

And do we really want the local police chiefs and the sheriffs, do we really want them to concede the authority that they have, to cede the authority that has been given to them by the people to the Attorney General and to the bureaucrats that operate under her? Do we really want a Government, a U.S. Government, that determines the manner of operation of local jails? Do we really want a U.S. Government, as determined by the Attorney General, that tells local police chiefs the manner in which they must train and recruit and equip the officers that work for them?

That is what is wrong with this crime bill. It is fatally flawed because of the philosophy behind it, and the philosophy behind it says Washington knows much better than Rockford, IL, and Washington knows much better than this little town in Florida, the little town of Brookville, FL, on how to run the system of government.

The locus of sovereignty is with the people, and that is where the decisions must be made in the effective war against crime.

Mr. BECERRA. Madam Speaker, will the gentleman yield?

Mr. MANZULLO. I yield to the gentleman from California. I thank the gentleman for his patience. You have been sticking around here all night, have you not?

Mr. BECERRA. Madam Speaker, I have been here listening intently to much of what has gone on today, and I listened intently to what the gentleman had to say. I wonder if the gentleman would allow me to ask him a couple of questions, because he went into great detail about the crime bill. I think that is good, because the American public often wants to know the guts of what we are talking about in the different bills, whether it is health care or crime.

Is the gentleman suggesting that he is opposed to the idea of putting cops on the street as the President has proposed or providing additional funds for incarceration or building prisons as the President proposed, or is it more the details of the crime bill with which he objects?

Mr. MANZULLO. The devil is always in the details. The issue here is this, if we are saying let us put cops on the beat, give a community grant and say, "If you need detectives, hire detectives."

Let me read a quote here. This was also from a group in Florida, the Hillsboro sheriff, Cal Henderson, a Democrat, he likes what is in the bill, but he does not agree, he likes some of what is in the bill, but he does not agree with the centerpiece, 100,000 officers. He says, "At this point, the most important thing is the prison beds and juvenile detention facilities." His deputies are arresting the same offenders over and over. He said more deputies made more arrests, but no real change, no real impact. "Give me a break," says Manatee Sheriff Charlie Wells, a Republican, "100,000 police to arrest people to put them where?" Put them where? I mean, Washington cannot determine the needs of a local police force. That is the whole point.

Mr. BECERRA. To my question, it is not the gentleman objects to the idea that the President has of putting more cops on the beat or providing more funds for prison construction, it is the details and the way the conditions, perhaps, arose that are imposed in the bill in trying to implement those particular programs, in that sense?

Mr. MANZULLO. What I am opposed to is the presumption of the U.S. Congress that it knows the needs of a local police department in trying to combat crime. That is the primary opposition.

Let me follow that through with an answer, because as you see by all the comments from these, the different principles involved, they may not need police. They may not need prisons. They may need other backup personnel. But we are determining the needs

of the local communities, and that is what is wrong about it.

Mr. BECERRA. But in terms of the programs themselves, community policing, helping provide more community police.

Mr. MANZULLO. Can you define community police? It is not defined in the bill.

Mr. BECERRA. That is because the local government, the police department, is allowed to define what a local community police officer will be which goes to your point about trying to provide local control.

Mr. MANZULLO. We are out of time.

Let me thank the gentleman, thank him very much, and I would state in conclusion that the community policing definition is not included in the bill.

Mr. BECERRA. I hope the gentleman does support the concept of community police and more money for prison construction.

Mr. MANZULLO. We can go on and on. I support the concept of letting the local police departments determine what their needs are and letting the U.S. Congress give them the money to spend the way they determine it.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FALEOMAVAEGA (at the request of Mr. GEPHARDT), for today through August 26, on account of official business in the district.

Mr. CLEMENT (at the request of Mr. GEPHARDT), for Thursday, August 18, on account of official business.

Mr. MCDADE (at the request of Mr. MICHEL), for today, on account of illness.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DUNCAN) to revise and extend their remarks and include extraneous material:)

Mr. SAXTON, for 5 minutes, today.

Mr. TAYLOR of North Carolina, for 5 minutes, today.

Mrs. BENTLEY, for 5 minutes, today.

Mr. SHAYS, for 5 minutes, today.

Mr. ISTOOK, for 5 minutes, today.

Mr. KINGSTON, for 5 minutes, today.

(The following Members (at the request of Ms. DELAURO) to revise and extend their remarks and include extraneous material:)

Mr. HOYER, for 5 minutes, today.

Mr. KREIDLER, for 5 minutes, today.

Mrs. MINK of Hawaii, for 5 minutes, today.

Mr. FINGERHUT, for 5 minutes, today.

Ms. DELAURO, for 5 minutes, today.

Mr. WAXMAN, for 5 minutes, today.

Ms. MCKINNEY, for 5 minutes, today.

Mr. MILLER of California, for 5 minutes, today.

Mr. WISE, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. BECERRA, for 5 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. DUNCAN) and to include extraneous matter:)

Mr. THOMAS of California.

Mr. CALVERT.

Mr. BALLENGER.

Mr. PACKARD.

Mr. KASICH.

Mr. BEREUTER.

Mr. DORNAN in three instances.

Mr. SOLOMON in two instances.

Mrs. MORELLA.

Ms. MOLINARI.

Mr. SHAYS.

(The following Members (at the request of Ms. DELAURO) and to include extraneous matter:)

Mr. BROWN of California.

Mr. HAMILTON.

Mr. KILDEE.

Mr. NEAL of North Carolina.

Mr. LANTOS.

Mr. LIPINSKI in three instances.

Mr. MANN.

Mr. BONIOR.

Mr. ENGEL.

Mr. STARK in two instances.

Ms. LONG.

Mr. FAZIO.

Ms. ROYBAL-ALLARD.

Mr. SYNAR.

(The following Members (at the request of Mr. MANZULLO) and to include extraneous matter:)

Mr. PAYNE of Virginia.

Mr. BARCIA of Michigan.

Ms. VELÁZQUEZ.

Mr. GINGRICH.

#### SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2073. An act to designate the United States courthouse that is scheduled to be constructed in Concord, New Hampshire, as the "Warren B. Rudman United States Courthouse", and for other purposes; to the Committee on Public Work and Transportation.

#### ENROLLED BILLS SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House



of the following titles, which were thereupon signed by the Speaker:

H.R. 2947. An act to amend the Commemorative Works Act, and for other purposes; and

H.R. 4790. An act to designate the United States courthouse under construction in St. Louis, Missouri, as the "Thomas F. Eagleton United States Courthouse."

### ADJOURNMENT

Mr. MANZULLO. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 8 minutes p.m.), the House adjourned until tomorrow, Friday, August 19, 1994, at 10 a.m.

### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3719. A letter from the Acting Director, Office of Management and Budget, transmitting OMB estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 1999 resulting from passage of H.R. 4429, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-582); to the Committee on Government Operations.

3720. A letter from the Clerk, U.S. House of Representatives, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period April 1, 1994, through June 30, 1994, pursuant to 2 U.S.C. 104a. (H. Doc. No. 103-294); to the Committee on House Administration and ordered to be printed.

3721. A letter from the Comptroller General of the United States, transmitting the ninth report on the assignment or detail of General Accounting Office (GAO) employees to congressional committees as of July 8, 1994; jointly, to the Committees on Appropriations and Government Operations.

3722. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report required by section 508 of the FREEDOM Support Act, pursuant to 22 U.S.C. 5852; jointly, to the Committees on Foreign Affairs and Appropriations.

### SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of rule X the following action was taken by the Speaker:

Referral of H.R. 2680 to the Committee on Government Operations extended for a period ending not later than September 23, 1994.

### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Ms. MARGOLIES-MEZVINSKY:

H.R. 4984. A bill to amend the Solid Waste Disposal Act to regulate the use of hazardous

waste as fuel for energy recovery, the operation of cement kilns that burn hazardous waste as fuel, the disposal of cement kiln dust waste, and related activities; to the Committee on Energy and Commerce.

By Mr. BARTON of Texas:

H.R. 4985. A bill to prohibit aircraft from flying over The Ballpark in Arlington, in Arlington, TX, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. JEFFERSON:

H.R. 4986. A bill to amend the Internal Revenue Code of 1986 to increase the deductibility of business meal expenses for individuals who are subject to Federal hours of limitation; to the Committee on Ways and Means.

By Mr. KIM (for himself, Mr. COX, Mr. DORNAN, Mr. PACKARD, and Mr. ROYCE):

H.R. 4987. A bill to authorize the Secretary of the Interior to participate in the construction of the Orange County Regional Water Reclamation Project; to the Committee on Natural Resources.

By Mr. REGULA (for himself and Mr. HUGHES):

H.R. 4988. A bill to provide for a 4-year demonstration project under Medicare which shall establish a preventive health care screening examination program; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. TRAFICANT (for himself, Mr. MINETA, Mr. SHUSTER, Mr. DUNCAN, Mr. HYDE, Mr. HASTERT, and Mr. GINGRICH):

H.R. 4989. A bill to designate the Federal building and United States courthouse located at 100 Northeast Monroe Street in Peoria, IL, as the "Robert H. Michel Federal Building and United States Courthouse"; to the Committee on Public Works and Transportation.

By Mr. CAMP:

H.R. 4990. A bill to amend title 10, United States Code, to require the Secretary of Defense to establish a commission to collect and investigate reports by members of the Armed Forces of illnesses incurred during or shortly following their service in combat zones during a war on contingency operation; to the Committee on Armed Services.

By Mr. INSLEE:

H.R. 4991. A bill to provide that Oregon may not tax compensation paid to a resident of Washington for services as a Federal employee at a Federal hydroelectric facility located on the Columbia River; to the Committee on the Judiciary.

H.R. 4992. A bill to accept redesignation by the Yakama Tribal Council of the name Confederated Tribes and Bands of the Yakima Indian Nation to the "Confederated Tribes and Bands of Yakama Indian Nation" to conform to wording of the Treaty with the Yakamas; to the Committee on Natural Resources.

H.R. 4993. A bill to authorize the Secretary of Agriculture to exchange certain lands in the Wenatchee National Forest, Washington, for certain lands owned by Public Utility District No. 1 of Chelan County, WA, and for other purposes; to the Committee on Natural Resources.

By Mr. SYNAR (for himself, Mr. BUNNING, Mr. OWENS, and Mr. BLIRAKIS):

H.R. 4994. A bill to apply the antitrust laws of the United States to major league baseball; to the Committee on the Judiciary.

By Ms. MOLINARI (for herself, Mr. BAKER of California, Mr. CAMP, Mr. HOEKSTRA, Mr. KING, Mr. LEVY, Mrs.

MALONEY, Mr. MCCRERY, Mrs. MORELLA, Mr. QUINN, Mrs. ROUKEMA, Mr. SANDQUIST, Mr. TORRICELLI, Mr. TRAFICANT, and Ms. VELÁZQUEZ):

H.J. Res. 403. Joint resolution to designate October 1, 1994, as "National Incest and Sexual Abuse Healing Day"; to the Committee on Post Office and Civil Service.

By Mr. STUPAK:

H.J. Res. 404. Joint resolution designating March 26, 1995, as "Native American Heritage Day"; to the Committee on Post Office and Civil Service.

By Mr. KNOLLENBERG (for himself,

Mr. SOLOMON, Mr. MCCOLLUM, Mr. KIM, Mr. HOEKSTRA, Mr. BARTLETT of Maryland, Ms. MOLINARI, Mr. WALKER, Mrs. MEYERS of Kansas, Mr. CRAPO, Mr. SAM JOHNSON of Texas, Mr. UPTON, Mr. BALLENGER, Mr. TORKILDSEN, Mr. EVERETT, Mr. STUMP, Mr. KLUG, Mr. HOBSON, Mr. FIELDS of Texas, Mr. DORNAN, Mr. EWING, Mr. CANADY, Mr. KINGSTON, Mr. MCKEON, Mr. LEWIS of Kentucky, Mr. HORN, Mr. WOLF, Mr. ROYCE, Mr. SMITH of Texas, and Mr. INGLIS of South Carolina):

H. Res. 525. Resolution expressing the sense of the House of Representatives with respect to welfare reform legislation; to the Committee on Ways and Means.

### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 65: Mr. HOAGLAND.  
H.R. 291: Mr. SANTORUM.  
H.R. 799: Mr. POMEROY.  
H.R. 966: Mr. NADLER.  
H.R. 1500: Mr. KLEIN, Ms. FURSE, Mr. PALLONE, Mr. ACKERMAN, and Mr. GORDON.  
H.R. 1509: Mr. MANTON.  
H.R. 1600: Mr. SAXTON.  
H.R. 1671: Mrs. MALONEY.  
H.R. 1840: Mr. MILLER of Florida.  
H.R. 1897: Mr. HALL of Ohio and Mr. GEJD-ENSON.  
H.R. 1928: Mr. MCCOLLUM.  
H.R. 2113: Mr. CALVERT.  
H.R. 2229: Mr. MINETA and Mr. VENTO.  
H.R. 2663: Mr. MILLER of California.  
H.R. 2717: Mr. MANZULLO.  
H.R. 2898: Mr. VENTO.  
H.R. 3005: Ms. MOLINARI.  
H.R. 3250: Mr. CANADY.  
H.R. 3261: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TORRES, Mr. BRYANT, Mrs. FOWLER, and Mrs. BENTLEY.  
H.R. 3293: Mr. THOMAS of Wyoming.  
H.R. 3348: Mr. UNDERWOOD.  
H.R. 3363: Mr. ACKERMAN.  
H.R. 3421: Ms. MOLINARI.  
H.R. 3491: Mr. ZELIFF.  
H.R. 3538: Mr. PASTOR, Mr. PORTER, and Mr. RUSH.  
H.R. 3646: Mr. HILLIARD, Mr. BARRETT of Nebraska, Mr. DIAZ-BALART, Mr. CRAMER, Mr. STEARNS, Mr. GILLMOR, Mr. BACHUS of Alabama, and Mr. SENSENBRENNER.  
H.R. 3695: Mr. ROYCE.  
H.R. 3762: Mr. KIM and Mr. UNDERWOOD.  
H.R. 3812: Mr. BACHUS of Alabama.  
H.R. 3854: Mr. KANJORSKI.  
H.R. 3951: Mr. PASTOR.  
H.R. 4000: Mr. GOODLATTE and Ms. ENGLISH of Arizona.  
H.R. 4069: Mr. INGLIS of South Carolina and Mr. FOGLIETTA.  
H.R. 4070: Mr. INGLIS of South Carolina and Mr. FOGLIETTA.

H.R. 4071: Mr. INGLIS of South Carolina and Mr. FOGLETTA.  
 H.R. 4095: Mr. ROBERTS.  
 H.R. 4142: Ms. VELÁZQUEZ, Mr. VENTO, Mr. THOMAS of California, Mr. MCNULTY, Mr. MARKEY, Mr. WATT, Ms. FURSE, Mr. HUFFINGTON, and Ms. ROYBAL-ALLARD.  
 H.R. 4178: Mr. DOOLITTLE.  
 H.R. 4179: Ms. CANTWELL.  
 H.R. 4251: Mr. HASTERT.  
 H.R. 4343: Mr. WOLF.  
 H.R. 4412: Mr. BARLOW and Mr. CHAPMAN.  
 H.R. 4491: Mr. CALVERT and Mr. BACHUS of Alabama.  
 H.R. 4514: Mr. CALVERT and Mr. POMBO.  
 H.R. 4546: Mr. RANGEL.  
 H.R. 4566: Mr. SENSENBRENNER and Mr. ZIMMER.  
 H.R. 4592: Mr. POMBO.  
 H.R. 4654: Mr. HASTINGS.  
 H.R. 4698: Mr. VENTO.  
 H.R. 4708: Ms. ROYBAL-ALLARD.  
 H.R. 4765: Mr. SHAYS.  
 H.R. 4831: Mr. WILSON and Ms. MOLINARI.

H.R. 4846: Mr. VALENTINE.  
 H.R. 4919: Mr. ZIMMER, Mr. VISCLOSKEY, and Mr. ROEMER.  
 H.R. 4940: Mr. REED.  
 H.R. 4951: Mr. DORNAN.  
 H.R. 4952: Mr. DORNAN.  
 H.R. 4953: Mr. DORNAN.  
 H.R. 4957: Ms. DANNER.  
 H.J. Res. 355: Mr. HAYES, Mr. DICKEY, Mr. STOKES, Mrs. UNSOELD, Mr. LAZIO, Mr. CONYERS, Mr. SHARP, Mr. BAKER of California, Mr. HAMILTON, Mr. FRANK of Massachusetts, Mr. OWENS, Mr. MOORHEAD, Mr. GRAMS, Mr. ANDREWS of New Jersey, Mr. BATEMAN, Ms. DUNN, Mr. LEVY, Mr. PASTOR, Mr. FILNER, Mr. MARKEY, Mr. JOHNSON of Georgia, Mr. MYERS of Indiana, Mr. CRANE, Mr. ABERCROMBIE, Mr. BILBRAY, Mr. SAXTON, Mr. WYDEN, Mr. NADLER, Mr. FRANKS of New Jersey, Mr. ENGEL, Mr. COYNE, and Mr. BLACKWELL.  
 H.J. Res. 381: Mr. OWENS, Ms. DELAULO, and Mr. ENGEL.  
 H.J. Res. 385: Mr. SERRANO.

H.J. Res. 399: Mrs. MINK of Hawaii, Mr. OWENS, Mr. JOHNSON of South Dakota, Mr. WYNN, Mr. BEVILL, Mr. HORN, Mr. MARTINEZ, Mr. BILBRAY, Mr. WOLF, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. HASTINGS.  
 H. Con. Res. 173: Mr. LEACH, Mr. DOOLITTLE, Ms. MARGOLIES-MEZVINSKY, Mr. HANCOCK, and Mr. KIM.  
 H. Con. Res. 264: Mr. GINGRICH and Mr. GOODLING.  
 H. Res. 432: Ms. NORTON, Mrs. UNSOELD, and Mr. KLEIN.

## DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3222: Mr. GORDON.